



DEPARTMENT OF
ECOLOGY
State of Washington

2010 Report to the Legislature: Water Conservancy Boards

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2010 Report to the Legislature:

Water Conservancy Boards

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Executive Summary

The Department of Ecology (Ecology) prepared this report about water conservancy boards (boards) to comply with RCW 90.80.150. The statute states, “The department shall report biennially by December 31st of each even-numbered year to the appropriate committees of the legislature on the boards formed or sought to be formed under the authority of this chapter, the transfer applications reviewed and other activities conducted by the boards, and the funding of such boards. Conservancy boards must provide information regarding their activities to the department to assist the department in preparing the report.” Ecology has submitted a report about boards to the Legislature every even numbered year since 2000.

The Legislature originally authorized counties to establish water conservancy boards in 1997. The purpose was to help alleviate Ecology’s backlog of water right change applications. By 2002, there were 21 boards established statewide. One has since dissolved.

Each board is an independently funded entity as explained in RCW 90.80.060(2). They each provide for their own funding through grants and adopting fees for processing water right transfer applications. Board application filing fees range from \$250 (Benton County) to \$1450 (Thurston County). The use of funds by boards also varies depending on the needs of the boards. Examples include travel, training, copying, correspondence, administrative staff, errors and omissions insurance, and legal support. The state audits the boards annually.

Ecology must evaluate the records of decision made by boards for compliance with applicable water law. Ecology has final review authority of each record of decision, and must issue an administrative order to affirm, modify, reverse, or remand. Ecology’s administrative order is appealable to the Pollution Control Hearings Board (PCHB).

Ecology believes it is important to note the longevity and commitment by many of the board members. During this reporting period Ecology began awarding certificates to volunteers serving 10 years on a board. To date, sixteen people received certification of their service.

With long term commitment to serve on a board, many board members seem to take eligibility more seriously and work quickly to regain eligibility when notified. Board commissioners must maintain training requirements to remain eligible to take action on water right change applications. Board commissioners and alternates completing less than the minimum hours become ineligible and must make up those hours. Once a person is behind by two or more years, it becomes more challenging to regain eligibility. In 2006, nearly a quarter (23 percent) of all board members were ineligible to take action on water right transfer applications. In 2008, that number was down to just 9 percent. In 2010, the number is about 11 percent. This number again reflects the restructuring of boards in the last two years.

Data indicates a decrease of applications to boards over the last two years. However, that trend appears to be changing slowly as applicants realize they will get quicker results through the boards.

During the two-year period beginning November 1, 2008 and ending October 31, 2010, board activity was as follows:

Board Related Actions	Central	Eastern	Southwest	Total
Applications accepted	89	69	5	163
Board issued records of decision	68	57	15	140
Decisions approved/denied	68/0	56/1	14/1	138/2
Decisions withdrawn by boards	15	1	1	17
Ecology issued administrative orders	71	56	13	140
Appeals of administrative orders	12	1	1	14

Boards continue to demonstrate their value in the local communities. Some boards process very few water right change applications but remain current on training in order to provide a local resource to the community. Some board commissioners give presentations to local community groups, serve on other water-related committees, or make themselves available for questions from water right users.

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Introduction

This report on water conservancy boards (boards) was prepared by the Department of Ecology (Ecology) to comply with RCW 90.80.150. The statute states, “The department shall report biennially by December 31st of each even-numbered year to the appropriate committees of the legislature on the boards formed or sought to be formed under the authority of this chapter, the transfer applications reviewed, and other activities conducted by the boards, and the funding of such boards. Conservancy boards must provide information regarding their activities to the department to assist the department in preparing the report.” Ecology submitted a report on boards to the Legislature every even numbered year since 2000. This is the sixth report and covers board activities from November 1, 2008 through October 31, 2010.

Background

In 1998, Lewis and Benton counties established the first two water conservancy boards in the state. These two boards operated under a pilot (or draft) rule developed by Ecology. The boards then provided feedback to Ecology for the development of a permanent rule. Ecology subsequently adopted the Water Conservancy Board rule, WAC 173-153 in November 1999. This administrative rule guides the boards in applying statutory criteria.

The number of established boards continued to increase from 1999 to 2002. September 2002 was the last time a county established a board until Mason County dissolved its original board and reestablished a new board in May 2008.

The Legislature has made significant changes to the statute since boards were first authorized in 1997. In 2001, the Legislature amended RCW 90.80 to:

1. Expand the definitions to define the terms “transfer” and “record of decision.”
2. Add a new section to provide flexibility to the jurisdiction and structure of the boards.
3. Add language clarifying the commissioner qualifications.
4. Add a new section to describe board authorities in more detail. This includes the authority to act upon the same kinds of transfers as Ecology is authorized to act upon, process trust water right changes, process changes to claims.
5. Authorize boards to establish a water right transfer information exchange.
6. Authorize boards to request technical assistance related to the water right transfers from an Ecology employee as designated by the director of Ecology.
7. Clarify boards do not have jurisdiction within the boundaries of a federal Indian reservation or to lands held in trust for an Indian band, tribe, or nation by the federal government.

8. Define a quorum.
9. Add a new section to authorize counties to dissolve a board under specific circumstances.
10. Change the process for public involvement during the board's review of a transfer application.
11. Clarify how a board must adopt a decision on an application.
12. Clarify how records of decision are transmitted to Ecology and require Ecology to post the record of decision on the Internet. It also provides a means for additional public comment during the first 30 days of Ecology's review and how Ecology reviews the records of decision.
13. Add language to limit a board and board commissioner's liability when making a decision.
14. Expand the conflict of interest definition and the process for addressing conflict of interest concerns by the public and Ecology.
15. Expand the boards' responsibility for open public meetings act to include RCW 42.32, Meetings.
16. Add a section requiring the boards' liability under the public records act.

Because of the amendments Ecology amended the rule, WAC 173-153 in 2002. The Legislature again amended RCW 90.80 in 2004 to authorize counties to appoint up to two alternates to each board. In 2005, the Legislature amended RCW 90.03 to change the fees collected by the boards. Because of a change in fee structure, a portion of the rule that protected the applicant by allowing an application to be dual-filed with Ecology and the board became obsolete. Ecology determined the rule no longer reflected statutory processes, so Ecology amended the rule again in 2006 to be consistent with the amended statute.

Boards are authorized to investigate an application for a water right change. Based on the investigation, the board writes the report of examination and issues a record of decision. Many boards delegate this authority to the applicant, who hires a consultant to work through the process and write the report. The board adopts a record of decision documenting each board member's approval or denial of the report of examination. The report of examination documents the rationale, conclusions, and decisions of the board.

When a board processes a water right transfer application, the statute requires a great deal of public involvement. All board activities are subject to the Open Public Meetings Act, RCW 42.30 and 42.32. The boards must also comply with the requirements of the Public Records Act, RCW 42.56. Further, the public may submit comments up to 30 days after Ecology receives the final board decision. There is always the option to appeal the final decision.

Ecology is available to provide technical assistance to the board as they process an application. Ultimately, Ecology evaluates the records of decision for compliance with applicable water law, the record developed by the board, and any conflict of interest issues. Ecology may also consider any concerns submitted within 30 days of receiving the board's decision. Ecology then issues an administrative order to affirm, modify, reverse, or remand the board's decision, which is appealable to the PCHB.

RCW 90.80.050 identifies boards as a “public body corporate and politic and a separate unit of local government in the state.” RCW 90.80.060 states that boards are independently funded. As such, Ecology reviews only those board activities directly associated with the development of a board's record of decision. For instance, Ecology does not have a role over whether a board complies with the Public Records Act or the Open Public Meetings Act.

Board purpose

The Legislature authorized boards to assist Ecology with the backlog of water right change applications. Although not originally intended, a side benefit of boards is the local resource that some boards provide.

Initially, boards had a steep learning curve and the public process and the technical nature of the work overwhelmed many. Now that boards have operated for 12 years, they engage more readily in discussions with staff and at the Ecology-sponsored trainings. Ecology and the board members themselves are generally appreciative of the knowledge and skills the volunteers have gained.

The knowledge and skills gained by the boards are also demonstrated through their own public outreach. Some board commissioners give talks to local community groups, serve on other water-related committees, or make themselves available for questions from water right users. This outreach provides a much needed educational resource that benefits the state.

Reporting requirements

RCW 90.80.150 requires a board to provide information regarding its activities to Ecology in preparation of this report. Boards are asked to provide this information on an annual basis. WAC 173-153-170 outlines the information a board is required to include in its report. The board reports are included within Appendix K.

Funding

Each board is an independently funded entity pursuant to RCW 90.80.060(2). Boards provide for their own funding through grants and adopting fees for processing water right transfer applications. The funds can be used to fund activities of the board. (See Appendix A for fees adopted by each board.)

A board takes a number of items into consideration when setting fees such as:

- What the local economy and population can afford.
- The need for errors and omissions insurance.
- The board's operating costs including meeting space, mail services, supplies, correspondence, or equipment.
- Costs directly associated with a water right transfer application such as public notice publication, copying costs, or responding to public information requests.
- Potential travel costs associated with training.
- Cost of administrative support provided by outside resources such as counties, conservation districts, attorneys, or other entities.
- The number of water right change applications pending within the geographical jurisdiction of the board.

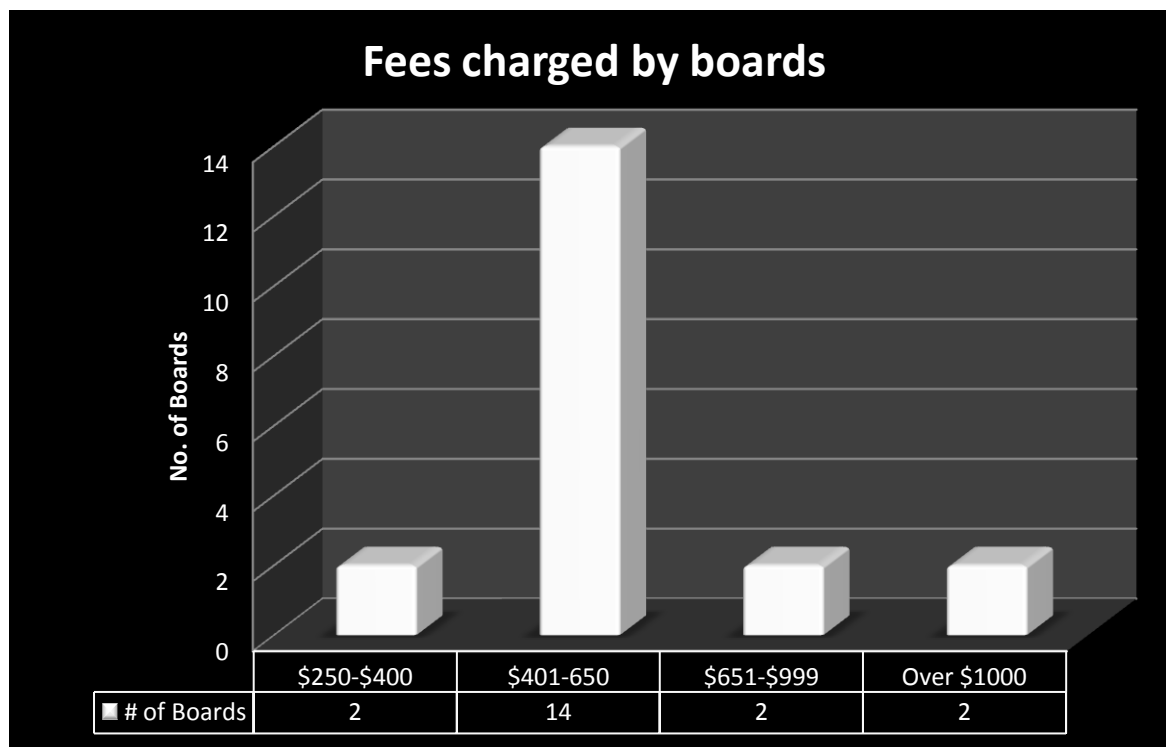


Chart 1 – Fees Charged by Boards - The board fees vary. Fees range from \$250 (Benton County) to \$1450 (Thurston County)

Use of funds

Because boards operate independently, use of funds varies considerably. Generally, grants received and adopted fees are used to fund activities of the board, including:

- Travel costs for training.
- Travel costs associated with board operations such as investigations, field exams, etc.
- Public notice.
- Copying.
- Correspondence.
- General office supplies.
- Administrative support (some boards).

The State Auditor's Office (SAO) audits boards on a routine basis. Each board is required to report to SAO independently. Ecology is not involved in this board operation.

Status of Boards

The status of boards has remained generally the same in the last two years. As of the date of this report, no counties have petitioned to establish a new board since 2008. Three boards struggled to remain active.

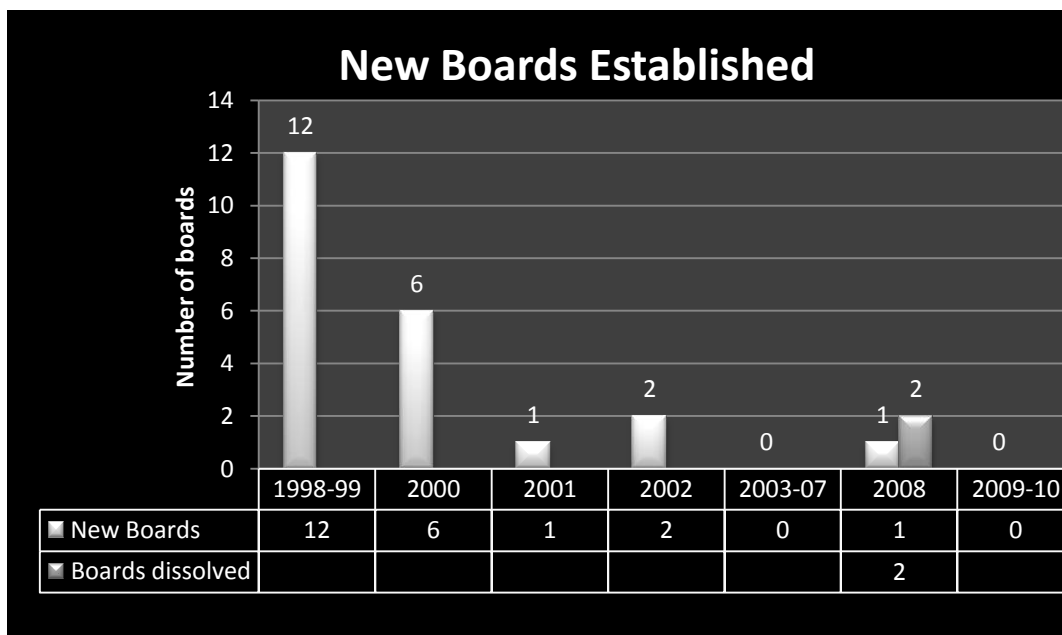


Chart 2 – New Boards Established – the chart shows the changes in the number of new boards established since 1998.

1. The Island County Board of Commissioners reorganized the Island County Board. The three member board is trained and ready to operate.
2. The Okanogan County Board lost two of their five members in March 2010. In August 2010, the County restructured the board to a 3-member board so quorum requirements are easier to meet.

Ecology held a special training for one Okanogan Board member to regain eligibility. As of August 5, the board was operational but still struggling to meet quorum requirements. Okanogan County continues to seek recruitment of other volunteers to the Board. This board historically has been very active and high functioning. The sudden change in operational status finds numerous applicants waiting for the board to reactivate.

3. The Ferry County Board lost its long-time board chair and the county is searching for a replacement.

Ineligible commissioners and inoperable boards

RCW 90.80.040 requires board commissioners and alternates to comply with training requirements prior to taking action on proposed water right transfers. WAC 173-153-050 requires an initial 32-hour training session sponsored by Ecology and eight hours of continuing education annually beginning in the second year of service. Board commissioners may receive continuing education from sources other than Ecology and submit a request for credit.

A board commissioner or alternate becomes ineligible when the commissioner fails to maintain training requirements. In some instances a person appointed as a commissioner or alternate fails to attend the required 32-hour initial training or obtain the required eight hours continuing education.

The commissioner remains unable to take action on water right change applications until all required training is completed. With fewer commissioners to make decisions, it becomes more difficult for a board to operate.

A board becomes inoperable when too many of its commissioners are ineligible or there are too many vacancies. In the past some boards were inoperable for two or more years because of commissioner ineligibility and vacancies.

Ecology provides a status report to each county and board in January each year.

There is no statutory authority for Ecology or a county to remove a commissioner or alternate from a board. As such, the ineligible

**Eligibility Status of Commissioners
Nov. 1, 2008 - Oct. 31, 2009**

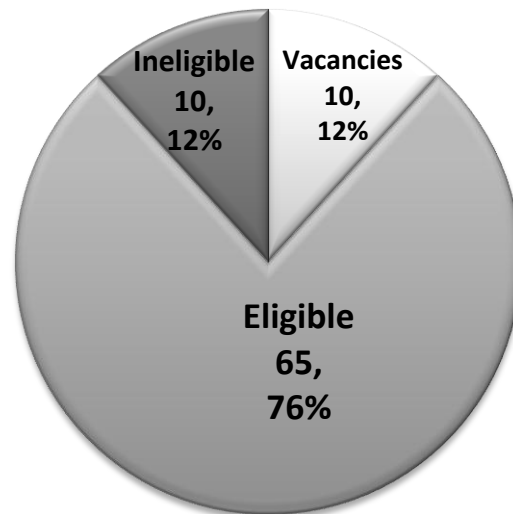


Chart 3 Eligibility Status of Commissioners 2008-09 – Ineligibility proved to be a liability for boards and vacancies were difficult to fill for some counties. This chart reflects 85 positions: 10 vacancies, 10 are ineligible commissioners/ alternates, and 65 are eligible commissioners/alternates.

**Eligibility Status of Commissioners
Nov. 1, 2009 - Oct. 31, 2010**

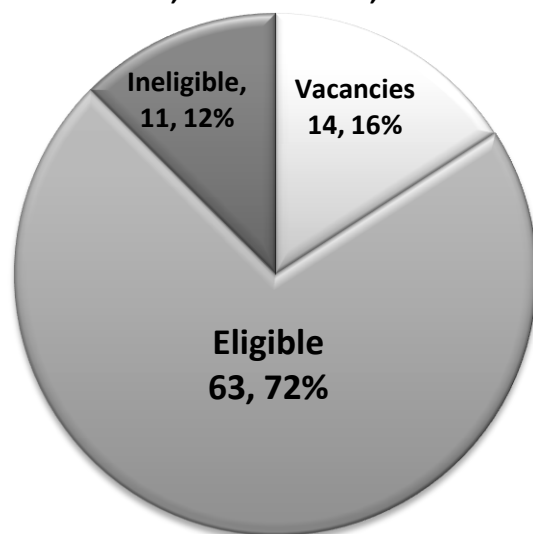


Chart 4 – Eligibility Status of Commissioner 2009-10 – Eligibility remained stable during the second year of the reporting period.

member remains on the board but is unable to take action on water right change decisions until eligibility is resolved. Eligibility is resolved in one of three ways:

1. The board member's term ends.
2. The board member becomes current on training requirements.
3. The board member resigns.

As noted in Ecology's 2008 *Report to the Legislature, Water Conservancy Boards*, ineligibility on the boards had improved since the 2006 report. Although ineligibility appeared to climb this reporting period, most commissioners and alternates appeared to regain their eligibility more quickly. As of October 31, 2010, only one sitting board commissioner statewide is ineligible to take action on water right change applications.

Many counties have difficulty finding interested volunteers. It appears to be more difficult now with the economic downturn.

Board composition

The initial statute passed in 1997 identified the composition of a board as three commissioners appointed by the county for staggered six-year terms. The 2001 legislative amendments to RCW 90.80 allowed counties to create either five-member or three-member boards. By 2001, however, most boards were already established. Even so, some counties wanted to increase the board to five members. The rule amendment in 2002 created a means for counties to restructure the board.

In 2004 the Legislature amended the Water Conservancy Board statute to allow counties to appoint up to two alternates to a board. An alternate is appointed for a six-year term and can serve as a replacement for an absent or recused board commissioner. When serving as a replacement for a commissioner, the alternate may vote on decisions before the board, counts toward a quorum, and is generally subject to requirements applicable to a commissioner.

The amendments allow flexibility to counties and boards struggling to succeed. For numerous reasons, counties continue to restructure boards to either three or five members and add alternate positions. This flexibility provided an effective means for the Okanogan Board to continue operating when it lost two of five members in March 2010.

Chart 5 below shows counties are taking advantage of this amendment; particularly those counties with three-member boards.

Number of alternates	2006 3-Member Board	2008 3-Member Board	2010 3-Member Board	2006 5-Member Board	2008 5-Member Board	2010 5-Member Board
0	9	5	7	5	3	2
1	3	8	4	1	2	0
2	2	1	4	1	1	3

Chart 5 – Number of 3 and 5 member boards with alternates – These numbers appear to show a shift toward reliance on alternates and a trend to return to 3-member boards.

The statute also requires specific qualifications for board commissioners and alternates to serve on a board.

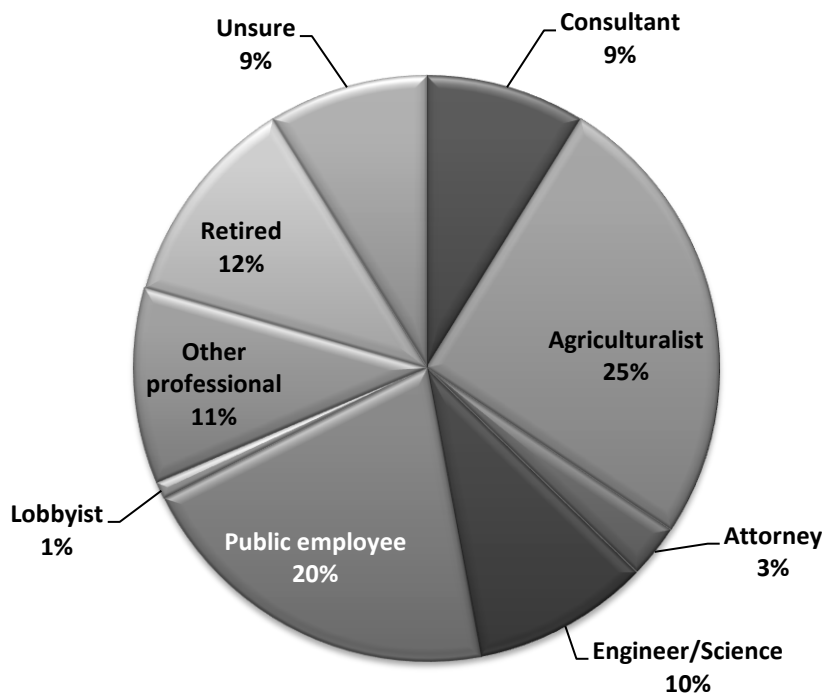
1. A commissioner or alternate must live in the county or an adjacent county.
2. Counties are required to appoint at least one individual water right holder and one non-water right holder to each board.

The requirements may contribute to the variety of occupations by serving board members.

Occupational Demographics

Chart 6 – Occupational demographics – Categories are identified as follows:

Engineer/scientist includes engineers, well drillers and hydrogeologists; public employees include public utility district manager and employees, conservation district employees, county commissioner, former state agency director, city, county, state, and federal workers; other professional includes real estate, financial, sales, various others. The “other” category reflects Ecology’s lack of information regarding the occupation of some commissioners. Note: Numbers reflect higher than the current filled positions because some board commissioners are included in more than one category.



Jurisdiction

Originally, RCW 90.80 limited the geographical jurisdiction of a board within a county.

Amendments in 2001 allow counties to identify a board's geographical jurisdiction within a single county, multi-counties, a water resource inventory area (WRIA), or multi-WRIAs. Counties that choose to create a board with a geographical jurisdiction crossing county boundaries must jointly work together to establish the board.

All 20 boards have jurisdiction within a single county. As of the date of this report, Ecology has not received any request to establish or restructure a board to have geographic jurisdiction in more than one county or to establish a board based upon WRIA boundaries.

The following map shows the 20 counties with established boards as of November 1, 2010.



Board commissioner turnover

Board commissioners and alternates are appointed to six-year terms. The exception to a six-year term occurs when a board is first created. The initial terms of three-member boards are staggered two, four, and six years; terms of five-member boards are staggered two, three, four, five, and six years. At the end of a term, the county legislative authority may reappoint a commissioner or alternate to the board for a six-year term or appoint a replacement.

A commissioner or alternate may also resign at any time. When the county appoints a new person to the vacancy, the person fills the unexpired term. The county may then reappoint the person or appoint another person to a six-year term.

In the last two years, turnover on boards appears to have increased from the previous reporting period. This is, in part, caused by an increase in counties appointing alternates to boards. Counties are also reappointing alternates to regular commissioner positions.

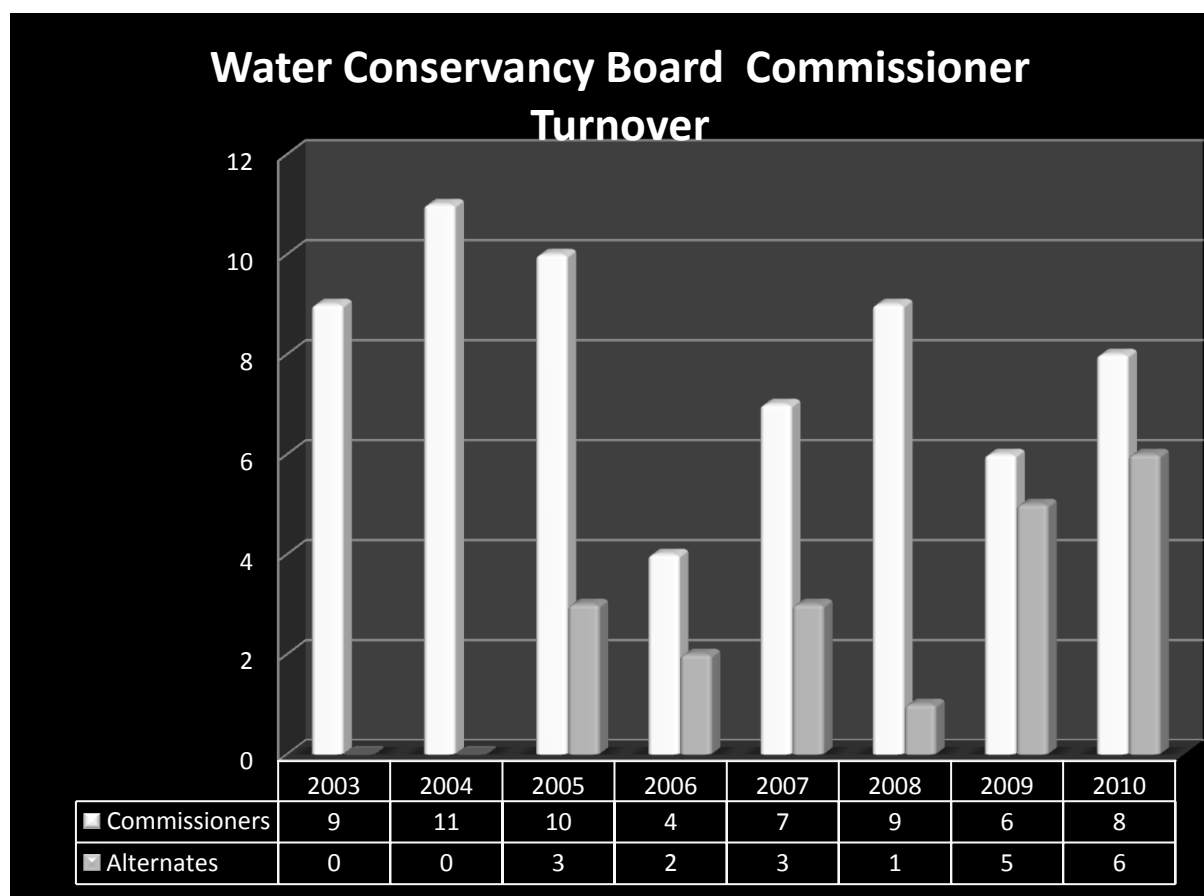


Chart 7 - Water Conservancy Board Commissioner Turnover – Turnover on boards increased slightly during this reporting period. The turnover of alternates is much higher. However, 4 of the 11 alternates resigned to be reappointed as a regular commissioner.

A total of 88 board positions are established among the 20 boards including 70 commissioners and 18 alternates from 2008 to 2010. The number of commissioner positions declined by 2 but the alternate positions increased by 4. This is a result of restructuring by the Lewis County and Okanogan County boards from 5 to 3 member boards and the additions of new alternate positions. Twenty-four commissioners and alternates left board service during the past two years. Nineteen positions were permanently vacated due to the resignation or term expiration of a board commissioner or alternate. See Appendix B for details.

There are currently twelve commissioner and alternate vacancies; four on west side boards and eight in Eastern Washington.

Length of service

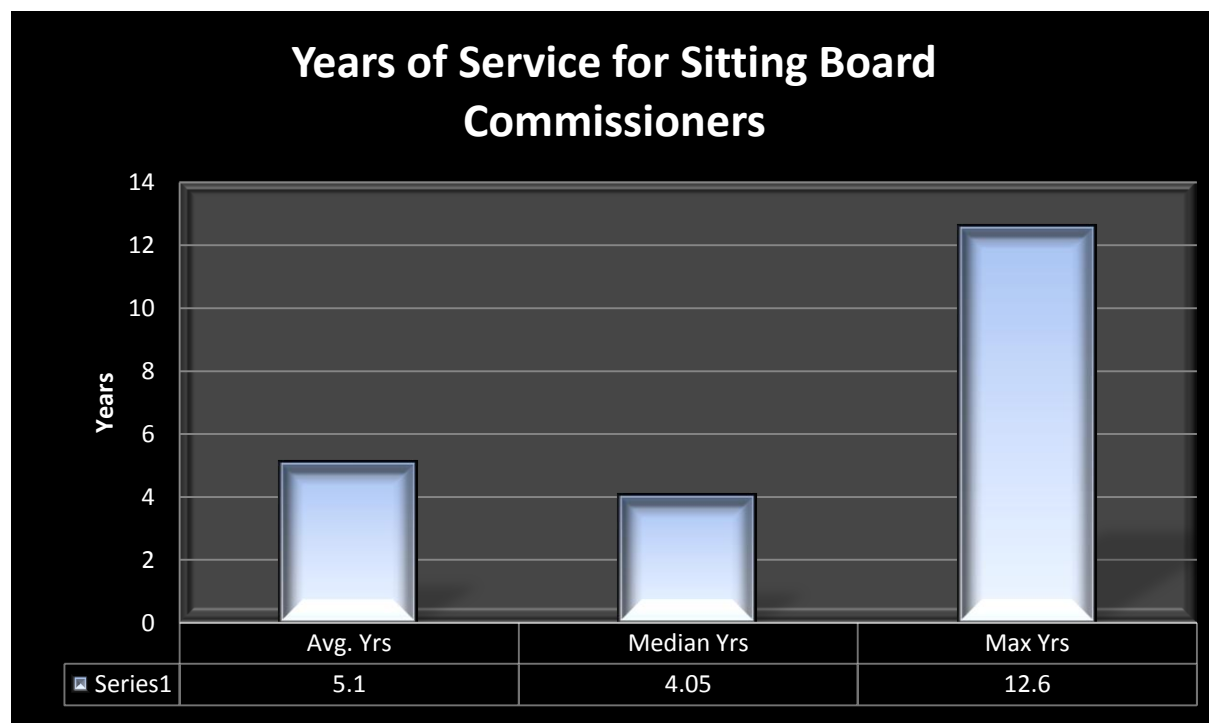


Chart 8 – Years of Service of Sitting Board Commissioners - Boards continue to gain significant experience processing water right change applications.

The first two boards were established in 1998. Most others were established in 1999 through 2001. In 2009 and 2010, Ecology acknowledged an additional sixteen board commissioners for 10 years of service on their board. For a list of commissioners with 10 years of service or more see Appendix C.

Except for the new Mason County Board established in 2008, the initial terms of all the originally appointed commissioners have ended. Most of the incumbents continued to serve another term. It is to a board's advantage when a person is willing to serve beyond the initial

term and the board retains commissioners with substantial experience. Those that resigned were either discouraged with the boards or Ecology's direction, moved away, or for personal reasons.

The average service time for a sitting commissioner is nearly five years. The longest serving commissioners are on the Benton County Board. The Benton County Board was one of the first two established boards and has had no turnover in the twelve years of its existence. It is remarkable to note that the Benton board as well as the Walla Walla board both retain the same commissioners originally appointed when the boards were established in 1998 and 1999, respectively. The original board commissioners continue to serve on each board and all have been reappointed to their positions for a second or third term.

It is important to remember that board commissioners and alternates are volunteers and should be commended for the length of service they provide to their county and to the state.

Training

Training for new commissioners and alternates

Before a board commissioner or alternate can take action on a water right transfer application, the commissioner must receive 32 hours of training conducted by Ecology. The training includes:

- Hydrology.
- State water law and policy.
- Administrative and judicial case law.
- Field practices.
- Evaluation of existing water rights.
- Practical experience working on water right change applications.

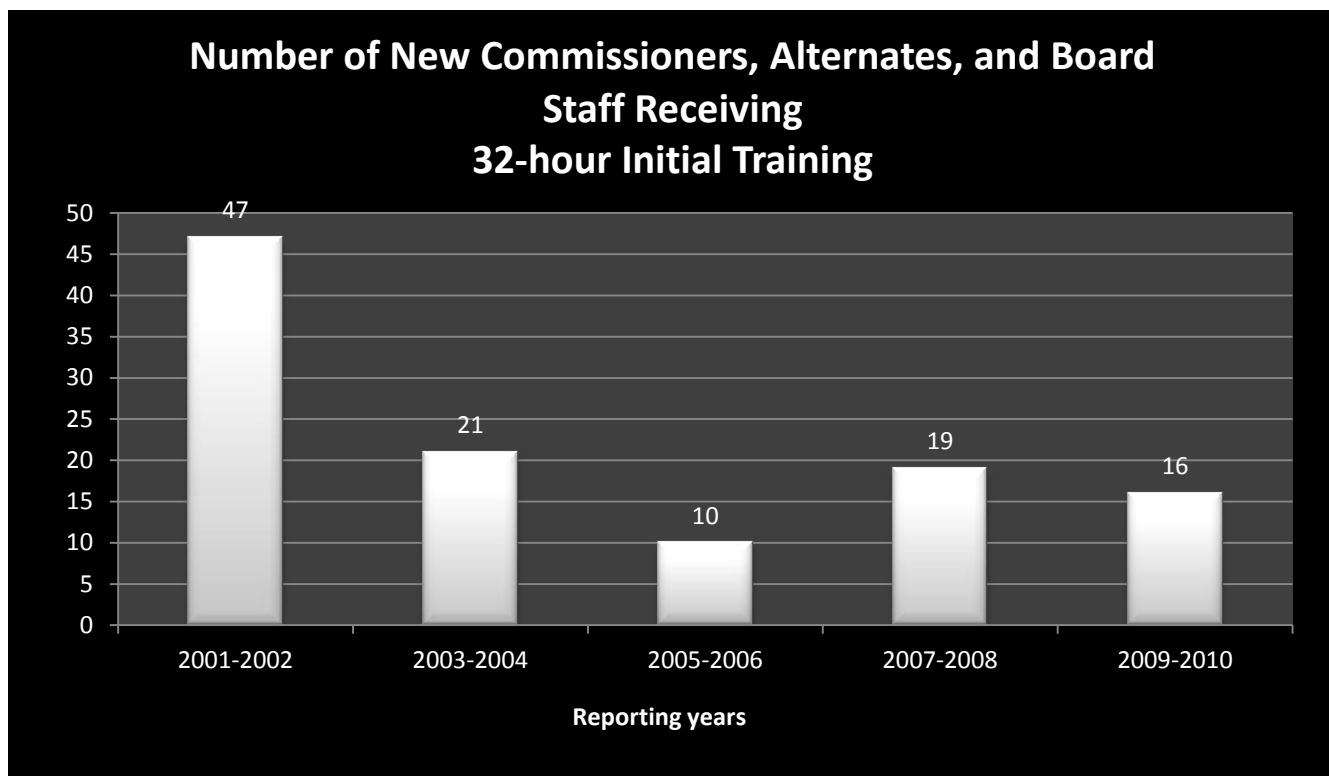


Chart 9 – Number of new commissioners, alternates, and board staff receiving 32-hour Initial Training – The chart shows the changes every two years in the number of new commissioners trained.

Ecology offers additional resources on topics such as the State Environmental Policy Act, tribal issues, the Open Public Meetings Act, and the Public Records Act. The water administrator for the Colville Confederated Tribes usually presents tribal issues and concerns.

Between 1999 and 2002, Ecology held three to five trainings for new commissioners annually. As the creation of new boards declined, the need for training new commissioners has averaged twice annually since November 2002. Generally, Ecology offers this training in the spring and in the fall. The schedule is subject to change depending on the number who need training and the availability of qualified trainers. The training is held in various areas of the state determined by the location of the confirmed attendees.

From November 2008 through October 2010, Ecology offered four training sessions for new board commissioners and alternates:

- June 23-26, 2009 – Yakima
- November 3-6, 2009 – Island County, Deception Pass
- April 27-30, 2010 – Wenatchee
- October 5-8, 2010 – Yakima

During this two-year reporting period, Ecology trained a total of 16 new board commissioners and alternates. (See chart 9 above.)

Continuing education

The Water Conservancy Board rule requires commissioners and alternates to participate in a minimum of eight hours of continuing education each year after the first year of service. The commissioners have flexibility in the training they receive; however, Ecology must either sponsor or approve the training for them to receive credit. The training may include readings, seminars, conferences, field experiences, or classes covering subjects that directly relate to the work on the board. Commissioners are encouraged to report any relevant training received beyond the minimum requirements.

Ecology sponsors periodic continuing education training for board commissioners. In the past two years, 12 continuing education trainings were offered at various locations. Every continuing education session is open to all commissioners, alternates, county commissioners, and board staff. Board commissioners and alternates are invited to propose training topics and set the agenda.

No specific application currently before a board is allowed to be discussed during Ecology-sponsored training sessions.

Conflict of Interest

Background

The Legislature initially authorized counties to establish a water conservancy board (board) in 1997. The purpose was to help alleviate Ecology's backlog of water right change applications.

By 2002 there were 21 boards established statewide. One has since dissolved. In 2004, the Joint Legislative Audit and Review Committee (JLARC) conducted its own review of the boards and wrote a report¹ on the status of board operations. The report found the boards operated very differently statewide. Some did all the analysis independently and wrote their own report of examination. Some required the applicant to hire a consultant to conduct the analysis and write the report. Other boards varied in how involved they were with the analysis and report writing.

The data from the JLARC report indicated the boards that wrote their own reports of examination had a higher percentage of affirmed decisions. The report states, "This rather high percentage may be due in part to these board members holding direct discussions with Ecology staff about technical or legal issues in the applications, with three of the four boards frequently asking Ecology to review a draft decision document." At the recommendation of the JLARC report, Ecology held training in August 2005 for boards and county commissioners on the disparity between the board operations and apparent effect on a successful review by Ecology.

Ecology did not note any major immediate shift of board operations because of the JLARC report or the training. However, the report and training appeared to accomplish one thing; it raised the awareness level of boards as to the options for using consultants.

By 2007, more boards required the applicant to become involved in the analysis of the water right transfer application. The boards rely upon the applicant to determine and analyze the issues related to an application. The analysis includes providing the technical details of the water right use that boards are trained to do including a tentative determination and writing the report of examination. Most hire consultants to assist with this complex process. Some consultants will present the report of examination at the same time they submit the application, indicating the investigation is complete minus the public comment and protest periods.

Although the nature of the applications has not change in complexity, the number of appeals has increased. The JLARC findings regarding the success of boards who discuss issues with Ecology

¹ Joint Legislative Audit and Review Committee, *Water Conservancy Boards Review*, December 2004, publication number 04-12.

<http://www.leg.wa.gov/JLARC/AuditAndStudyReports/2004/Pages/04-12.aspx>

rather than relying solely on the consultant, seem to be validated by the increased use of consultants and apparent increased number of appeals to the PCHB over a three-year period. See appendix I. Ecology is unsure of the statistical importance of the increase in appeals, but noticed an increase beginning 2007 through 2009.

The involvement of consultants seems to have added a layer of complexity to the board process. Ecology is funded to train boards to process water right change applications. Consultants have not been trained in the state's interpretation of water law and, understandably, write the report of examination to advocate the approval of the applicant's project.

Conflict of interest

RCW 90.80.120 addresses conflicts of interest for water conservancy boards. Generally, the language focuses on financial or personal gain and is an effective tool for boards, the public, and Ecology to alleviate concerns of conflict on a board. However, the existing statute seems limited in the ability to address evolving trends in processing applications.

As the practice of requiring an applicant to participate in processing an application increased, the need for consultants followed. Concerns began to arise as some consultants were appointed to boards and began to represent applicants before the same board.

Several concerns developed because of sitting or previous board members representing a client before their own board.

1. A perception of a conflict of interest developed as the board member "juggled" their need to recuse him or herself in order to represent an applicant before the same board.
2. The perception is amplified when more than one board member on a board also represents clients before the same board.
3. The close relationship between boards and local consultants can appear confusing. Sometimes the consultant/prior board member becomes such a regular participant at board meetings, they appear to speak for the board and appear to be another member.
4. One consultant/prior board member made a presentation at a public seminar² that was attended by this author. His presentation promoted his method for receiving a faster, final *de novo* review of a board's decision at the PCHB level. He encouraged filing with a board, preparing all documents ahead of time, and encourage the board and Ecology to make a decision even if it is not in the favor of the applicant. Some boards have reported experiencing this method when working with this and one other consultant/board member. The reports of examination written by the consultants generally lack sufficient

² Mark Peterson, Lorman Water Rights and Transfer Seminar, October 15, 2009.

documentation to support approval of a project, and the consultant pressures the board to adopt the deficient report of examination. Many times, this results in Ecology issuing a final order to modify or reverse the board's decision, which the applicant and consultant then appeal to the PCHB. This creates a significant drain on Ecology's and the Attorney General's office resources to defend the appeals. See appendix J for results of appeals between 2007 and 2009.

The PCHB has shown concerns about this practice as well. Recently, Ecology was granted summary judgment in PCHB Nos. 09-114 and 09-115, *Anderson Parker Investments, LLC vs. Ecology*. The PCHB recognized the problem and stated the following within its decision:

“Although the Board has de novo review authority, the Board finds the proper place to restrict the Appellant’s proposed change is with Ecology or the Conservancy Board. The parties would be able to rely upon their experts to fashion a suitable proposal, with appropriate technical review, in a less formal forum than a quasi-judicial proceeding before the Board. The Board, therefore, rejects Appellant’s suggestion that the proposed change can be adequately conditioned by the Board.”

5. Board commissioners tend to be long time residents of the areas they represent. As a result they are required to render decisions involving applicants with whom they have previously had business relationships, with whom they hope to have future business relationships, or to render decisions regarding the applications of local community members and relatives.

Steps taken to resolve issues

Ecology trains boards to understand that as public servants, board members are obligated to provide impartial and objective evaluations of applications. During the reporting period, Ecology has made a concerted effort to resolve board practices that raise ethical concerns or that might create an appearance of a conflict of interest. Ecology took the following steps to resolve the issues:

1. Ecology worked with a group consisting of one consultant and six board members from across the state to draft legislation in 2009.
2. Ecology decided to pull the proposed legislation in September 2009. The plan was for Ecology and the boards to discuss and resolve it over the next year.

3. Continuing problems prompted Ecology to reconsider including the proposed legislative language in November 2009.
4. Ecology again notified boards about the potential legislation and boards expressed alarm. In response, Ecology held a statewide meeting for all board members and county commissioners on December 11, 2009. Board members and county commissioners in attendance represented 9 of 20 boards and two county governments. The meeting appeared to be successful and the results included:
 - a. Ecology agreed to pull the proposed legislation if boards had an alternate plan that removed the need for legislation.
 - b. The attending boards and county commissioners decided on a plan to self-police to include:
 - i. Signing a memorandum of understanding (MOU) with Ecology. The MOU emphasized the existing statute in RCW 90.80.055(1)(d) for boards to request technical assistance before making the final decision on the application. Ecology agreed to draft the MOU for the boards to review and to seek approval from the boards at the February 2010 board trainings.
 - ii. Developing the boards' own statewide code of ethics. Ecology clarified it was up to the boards to take the initiative to draft and adopt the code of ethics. Ecology's water conservancy board coordinator offered to collect all the ideas verbatim and present them to the boards for discussion at the February 2010 board trainings.
5. To fulfill Ecology's portion of the December 11 meeting agreement, Ecology:
 - a. Pulled the legislation.
 - b. Drafted and presented the MOU to the boards for review and approval.
 - c. Collected ideas for a code of ethics from board members and presented to boards verbatim for their consideration. .
6. Ecology emailed the MOU and ideas for a code of ethics to the boards prior to three statewide board meetings in February 2010. Ecology encouraged boards to come up with other plans if they had concerns with the MOU or code of ethics.
7. County commissioners, board members, and Ecology staff were invited to attend any one of three regional meetings to discuss the plans developed by the boards.
8. The board members at the three February meetings were assertive in their disagreement of the plan developed by the boards in December 2009. Most indicated their reluctance to participate in the plan to develop a code of ethics or sign an MOU. Ecology agreed to

wait until April 1, 2010 to provide the boards time to further discuss the issues at board meetings and get back to Ecology with the decisions.

Outcome and future Ecology action

Ecology plans no further action at this time but will continue to monitor the activities of boards statewide. As requested by the boards, Ecology formally removed itself from the implementation of the “self-policing” activities of the boards on April 1, 2010. The understanding was the boards would organize and implement the plan they developed. Ultimately, the boards decided not to develop a statewide code of ethics for all boards or sign the MOU. Some boards did, however, take informal steps to improve the operations of their individual boards, such as developing a policy against the consultant practices mentioned above.

Technical Assistance to Boards

When requested by a board, Ecology must provide technical assistance. Ecology recognizes a board's need for guidance but also seeks to honor board autonomy. Staff communicates frequently with most boards at board meetings, through one-on-one meetings, phone calls, and written communication.

Each Ecology regional office assigns a staff person to provide assistance to each board. The regional representative provides guidance regarding technical and procedural issues related to processing water right transfer applications. The statute encourages each board to ask for assistance as it reviews and investigates an application, develops its draft record of decision, and at any other time during the board's application process.

Ecology's statewide coordinator is available to all boards to coordinate, facilitate, and provide ongoing training, and provide technical assistance on board processes. The coordinator periodically attends board meetings to learn firsthand about board concerns.

Boards do not always take advantage of this process; sometimes because of pressure from the applicant and sometimes because they choose not to request assistance.

1. Some boards will not request assistance from Ecology. At times, such boards will rely completely on the applicant/consultant to provide the data and the report, and will approve the report of examination without a thorough understanding. Many of these lead to reversal and appeals. As a result of this practice, Ecology revised its record of decision and report of examination forms to include the following language:

"The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report."

2. Some boards refuse to accept Ecology's assistance. For example, one board was advised several times to conduct a tentative determination on a proposed change to a claim, which is explicitly required under RCW 90.80.055(1)(b). The board refused to conduct the analysis. Ecology reversed the decision. It was appealed and the PCHB found in Ecology's favor. Another board says they simply do not have the time to conduct tentative determinations. Lack of this determination means Ecology must reverse the board's decision because no review of the right's extent and validity was done. This leads to an increase in appeals.

3. Some boards rely upon the applicant and their consultant to determine the issues related to an application and the information to include within a report of examination. After the applicant or consultant prepares the report in draft, the boards then submit the draft to Ecology for confirmation that it is adequate, without the board having a clear understanding of the project or the report. Ecology is asked to identify faults in the draft under the guise of technical advice but is not provided with the entire water right application record developed by the board. This approach is discouraged by Ecology because it has several inherent problems:
 - a. Ecology provides technical advice for specific technical or legal factors encountered by a board. Ecology expects the board, as the responsible party, to have a clear understanding of the project and what is written in the report. Ecology does not perform the responsibilities of the board to process an application to a final report of examination.
 - b. Ecology does not have the time and resources to conduct full review of both draft and final adopted reports.
 - c. This process, used by some boards, results in the deferral of the boards' independent decision making to Ecology.
 - d. The board may consequently adopt a decision without an understanding of the issues raised by the application and the content of the report they have accepted.

Ecology Staff Guidance

Ecology developed internal guidance for employees that work directly with boards. The original guidance document dated September 1, 2004, was revised in 2006 and endorsed by the Water Resources Program management team. The document is available online at http://www.ecy.wa.gov/programs/wr/conservancy_boards/pdf/staff_guidance_final10312006.pdf.

The document provides a means for statewide consistency as staff assists boards with technical issues. Ecology recognizes staff expertise lies in the technical understanding and implementation of water law. Ecology staff does not possess expertise in local government operational laws and generally does not assist with internal board operations.

Board Activities

Getting established

Once a county creates a board, it generally takes some time to make operational decisions. A board must:

- Adopt or amend bylaws.
- Decide meeting times.
- Locate meeting facilities.
- Establish a board address and contact information.
- Adopt fees.
- Determine if it requires administrative support and office space.
- Decide how it will manage its funds.
- Choose how it will communicate with various entities and the public.

Most board bylaws are out of date and do not reflect the board operations. Many bylaws fail to reflect amendments to RCW 90.80 or are only general in nature, not addressing the unique operations of a particular board.

Board commissioners are volunteers and serve without compensation. Many commissioners bring resources with them that they provide for the board's use. Such resources may include office space, computers and software, a board address, and professional contacts such as an attorney that may donate time to the board. These resources are sometimes lost when the board commissioner who provides them resigns.

Board meetings

Boards generally meet once a month. In order to be more productive two boards have opted to meet three or four times a month. When a board has minimal activity they may meet quarterly. One board meets only when they need to and regular meetings are not held. The public needs to contact the board directly to get times and locations of this board's meetings.

All board meetings are open to the public, as required under the Open Public Meetings Act. The public is encouraged to contact the individual board to confirm meeting times prior to attending. Times may vary or be changed based on the needs of the sitting board commissioners. Appendix A contains a list of board contacts for each board.

Water right transfer exchange

RCW 90.80.055(1)(c) allows boards to establish an exchange for water right transfer information. The exchange lets water right owners list all or part of a water right for sale or lease. The board may also accept and post notices in the exchange from persons interested in acquiring or leasing water rights. Two counties, Adams and Benton, currently maintain a water right transfer information exchange.

Contacting boards

The rule requires each board to provide Ecology a primary contact name, address, phone number, and, if available, an email address. The board must inform Ecology's water conservancy board coordinator of any changes as they occur. Ecology maintains the primary contact list on their website at http://www.ecy.wa.gov/programs/wr/conservancy_boards/pdf/pcf_08052008.pdf. A copy of the current list is included in Appendix A.

Support staff

Some boards have hired staff to assist them. Other boards have contracted with the local conservation district office or with a private contractor to provide support. The assistance includes administrative help, such as fee collection, responding to public records requests, and copying and mailing services. Some board staff coordinates all administrative activities of the board, including providing the board with an address, acting as the primary contact for the board, or supplying legal services.

Some boards are recipients of grants from their county to obtain the help they need. Boards with limited resources and administrative support have expressed frustration with the time commitment and resources available to them.

Litigation

During the last two years there have been no lawsuits filed against any individual board. With past experience, boards are generally responsive to public requests and other legal requirements of a local government.

Also, in the past, some boards filed lawsuits against Ecology or participated in appeals on Ecology's orders. The Benton County Board was requested by the plaintiff in PCHB No. 09-044, *Shaw Vineyards v. Ecology*, to serve as an expert witness to challenge Ecology's decision at the January 2010 PCHB Hearing.

The members of the Chelan County Board were deposed in relation to an appeal of a decision being considered by the PCHB. This is the first time board members were directly involved in the appeal process at the request of Ecology. During the review of the board's decision, Ecology found the board failed to provide enough information to clearly support its decision. As a result, Ecology reversed that decision, which was ultimately appealed to the PCHB. In order to defend its final administrative order, Ecology found it necessary to gather more information through deposition from the individual board members.

Local community resource

Many board commissioners and alternates provide services to the local citizens of the community. Some commissioners make themselves available for presentations or to answer questions from local water users. The boards sometime seek assistance from Ecology to help with this outreach.

Ecology asked the boards to report the number of water right-related contacts the board or a board commissioner received that did not result in an application accepted by the board. This allows a clearer picture of the board activities beyond accepting and processing a water right change application. The 20 boards reported over 500 estimated contacts during this reporting period that did not result in an application.

Some of these contacts include people who learn by conferring with the board that changing their water right is not viable. In other cases, local water users may be uncomfortable approaching Ecology to ask their general water right questions but trust their local board.

There appears to be two reasons why boards issue few denials of water right change applications. Boards:

1. Can decline to process an application for any reason.
2. Have enough experience to evaluate an application and advise the applicant on the feasibility of the project prior to the filing of an application.

Water right change applications processed

For the purposes of this report, the data for this section generally covers the period of November 1, 2008 through October 31, 2010. A summary of the applications for water right changes processed by the boards during this period is found in Appendices E, F, and G. The data in this matrix reflect the information reported by boards. Appeals are based on Ecology and PCHB statistics. Copies of the reports submitted by the boards are found in Appendix K.

The board data has not been reconciled with Ecology's water right database. The reason is twofold:

- Boards report their activities from November through October each year. The rule, WAC 173-153-170, requires the boards to submit their data by October 31 so Ecology has time to complete the report to the Legislature by the December 31 deadline required in RCW 90.80.150. Ecology's data is tracked quarterly throughout a calendar year. The difference in deadlines makes reconciling the boards' data with Ecology's data difficult.
- Sometimes Ecology may not have the same information as a board if the board activities cross regulatory deadlines. For instance, board records may show a record of decision was made but they have 15 business days to forward that information to Ecology and other parties.

During this reporting period, legislative budget cutbacks eliminated many of Ecology's permit processing positions. We believe this may increase the number of change applications submitted to boards. The number of applications processed by any one board varies extensively. As a result, there are some areas where there is a higher likelihood of an applicant requesting a board, where available, to process his or her application. Reasons include:

- The backlog of water right change applications is not distributed evenly statewide.
- Some counties, regional areas, or water resources inventory areas (WRIAs) contain more demand than others.
- Requests for board processing may depend on what area of the state Ecology is currently working on change applications.

During the last two-year period, boards have accepted 163 water right change applications to process. The boards have issued 140 records of decision, approving all but two applications. Appendix H provides a summary of all water right change applications processed by each board during this period.

Chart 10 below shows the number of applications accepted by boards (input) and records of decisions made by boards (output) beginning November 1, 2002 through October 31, 2010.

8-Year Comparison November 2002 - October 2010

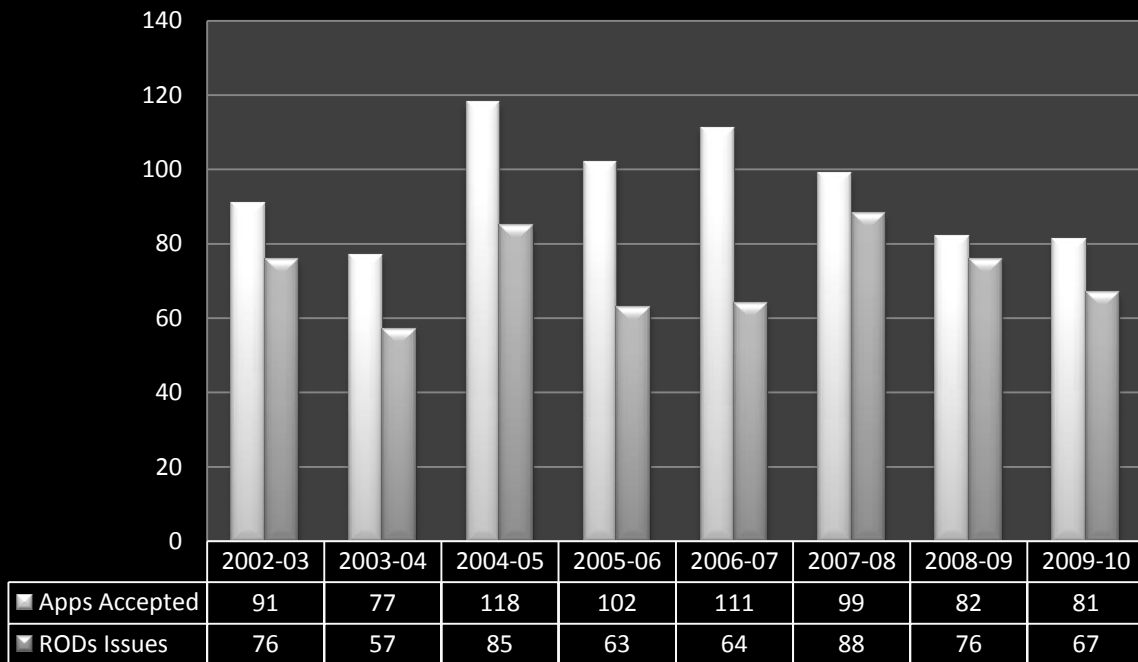


Chart 10- 8-year Comparison of Accepted Applications – November 2002 – October 2010 - The number of applications filed declined during this reporting period. This is most likely due to the economy. The 2010 data omits the Lincoln and Okanogan Boards. Reports for these boards were not received.

The data shows a decline in the number of applications filed with boards during the first four years. Once Ecology and the boards reduced the backlog of change applications, applicants seemed to go back to the boards. The boards showed a stable workflow from 2005 through 2007. Since then boards saw a slow decline of applications. It is unclear why so few boards processed applications in the last several years; however, it most likely reflects the poor economy.

It is important to remember that it is the applicant's decision whether to file an application with a board or with Ecology.

Collectively the boards also reported:

- 42 of the 163 applications submitted to boards for processing were subsequently withdrawn by the applicant, resulting in no decision by the board. These 42 withdrawals are included in the 163 applications accepted by boards.
- 140 records of decision were issued.
- 47 proposed transfers related to surface water.

- 104 proposed transfers related to ground water.
- 20 proposed transfers related to surface to ground or ground to surface water transfers.
- Boards declined to work on 8 applications after accepting them for processing.
- 123 water right changes were documented by state-issued certificates.
- 14 water right changes were documented by water right claims.
- 26 water right changes were documented by other documents such as court claims (Yakima adjudication, permits, etc.).
- 3 water right changes were related to trust water.
- 4 of the 20 boards did not accept any applications.
- 19 were originally filed with the Ecology. (See chart 11).
- 144 were filed directly with the board. (See chart 11).

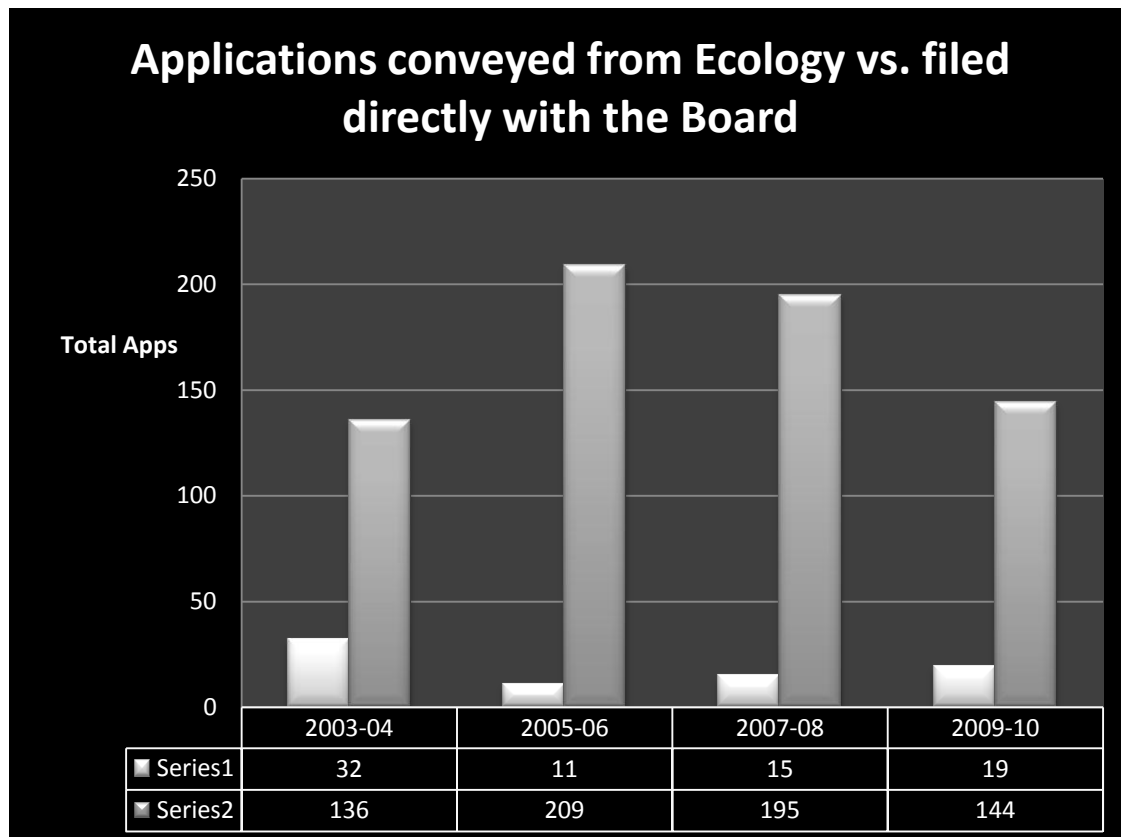


Chart 11 – Applications conveyed from Ecology vs. Filed Directly with Boards – Series 1 -The number of applications filed directly with Ecology; Series 2 -The number of applications filed directly with a board.

Records of decision reviewed

Ecology must review all records of decision made by boards. RCW 90.80.080(4) requires Ecology to complete its review within 45 days of receipt. The 45 days may be extended for an additional 30 days if needed. Ecology issues an administrative order to affirm, modify, reverse, or remand the board's decision. This order is appealable to the PCHB.

At times, Ecology will find “repairable” errors in its initial review and request the board to *withdraw* the record of decision. This process was established in rule to protect a reasonable proposal and decision from being reversed due to simple errors that may be significant if not corrected. If the board votes to withdraw a record of decision, the board corrects identified problems and resubmits the decision to Ecology. Ecology's 45-day review clock starts over.

For the first time, a record of decision issued by a board was remanded back due to conflict of interest issues. The applicant who signed the water right change application was also a board member who voted to approve the record of decision.

Another Ecology response to the adoption of a decision by a board is to return the decision without action. This response allows the board to correct procedure errors when, for example, the decision was adopted by the board without a majority or commissioners took part who were ineligible because they lacked the required training.

Appendix H provides the number of administrative orders issued to affirm, modify, reverse, or remand records of decisions during the current reporting period. The second column titled “ROD withdrawn” shows the number of decisions withdrawn by boards from Ecology's review. Most withdrawn decisions were resubmitted later for final review.

During the two-year period beginning November 1, 2008 and ending October 31, 2010, statewide Ecology reviewed and issued administrative orders on 140 decisions by the boards. Central Region processed 71 decisions, Eastern Region 56, and Southwest Region processed 13.

Of the 140 decisions reviewed by Ecology, 14 were appealed to the PCHB. Twelve of those appeals were from boards within the Central Regional Office. Nine of the 14 appeals were from the Chelan and Douglas Boards.

Statewide boards withdrew their decisions from Ecology's review 17 times. Fifteen of the withdrawals were done by boards in the Central Region and one each by a board in the Eastern and Southwest regions. After a decision is withdrawn, the board typically corrects defects and adopts the decision. Those corrected decisions are then reviewed by Ecology. Therefore, the number of withdrawn decisions does not contribute to the total number of decisions processed by boards.

Public hearings

Boards generally hold open public meetings. However, RCW 90.80.070(2) requires a board to hold a public hearing when the water right transfer crosses geographic jurisdiction. Ecology receives numerous questions from boards regarding this requirement. Most are unsure how many hearings to hold and where.

Ecology encourages the boards to provide as much public participation as possible. We generally advise that a board can never give too much notice and or opportunities for public input. We recommend that public hearings be conducted to allow sufficient public input by considering the complexity of the application proposal and the degree of public concern.

Summary

Water conservancy boards have existed for over twelve years. Many are successful but in ways that are measured differently from each other. Some spend time providing a valuable local resource to the community; some process high volumes of water right change applications; and some do both. The 80-plus volunteers are generally committed to their board because they want to give back to their community and believe in the process. They work hard to ensure accurate information and thorough investigations.

Successes

- The boards continue to process a significant number of water right changes.
- Boards provide a significant resource for their local communities.
- Some commissioners have served nearly 12 years. Sixteen volunteer board commissioners have served for over 10 years.
- New board commissioners seem to bring more relevant experience to the position.
- The boards provide opportunities for local citizens to learn more about water, legislation, their communities, the state, and Western water law.
- Some boards have developed policies to clarify appropriate roles and responsibilities of board members and consultants, and to promote fair and impartial decision-making.
- Turnover on boards seems to be stable. Options provided through statutory amendments since 2001 provide flexibility in the number of positions on a board. Losing two of five members can make meeting quorum difficult. Restructuring to a 3-member board resolved the issue for some boards. Some turnover occurs from people vacating one position then appointed to another.

Challenges

- Boards continue to operate with limited resources. Some have greater support from their county than others.
- Several board decisions have blurred the lines between, and the appropriate roles of, applicants, consultants, and board members. This has raised questions about conflicting interests and board adherence to basic principles of fair and impartial decision-making.
- Some board determinations have sidestepped fundamental water code requirements, triggering unnecessary litigation and significant appeal costs for the state.
- Depending on available resources, some boards can afford to support a part time administrative assistant. An assistant relieves the board members from the many local laws and legal administrative processes.
- With continuing economic situations, the boards may face an increasing number of applications.
- Some counties struggle to find volunteers. Several have noted that the economy is a factor in recruiting volunteers for many boards.

Appendices

- A – Primary contact and fees report
- B – Turnover report for 2009-10.
- C – Board members recognized for 10 years service
- D – Training agendas
- E – Summary of water right change application processing 2008-09
- F – Summary of water right change application processing 2009-10
- G – Summary of water right change application processing 2008-10
- H – Summary of Ecology’s record of decision review 2008-10 by region
- I – Board change decisions and appeal rates
- J – Closed appeals filed since January 2007 – December 2009
- K – Reports submitted by boards

Appendix A

Water Conservancy Boards Primary Contact List and Fees Updated: May 19, 2010

Board Name	Board Address	Board Phone/Email	Primary Contact Name	Fees
Adams Co.	c/o Adams Co. Conservation District 402 E. Main Ritzville, WA 99169	(509) 659-1553 adamcd@ritzcom.net	Joyce McNeil	\$500 per application
Benton Co.	3030 W. Clearwater, Suite 205-A Kennewick WA 99336	(509) 783-1623 dolsenecon@aol.com	Dr. Darryll Olsen	\$250 per application
Chelan Co.	705-3 Circle Street Wenatchee, WA 98801 Attn: Lisa de Vera	(509) 888-0461 donphelps@aol.com	Don Phelps	\$1000 fee plus 25%, unused balance refunded
Douglas Co.	P.O. Box 608 Waterville WA 98858	Phone: (509) 745-9160 Fax: (509) 745-8121 carol.cowling@gmail.com	Carol Cowling	\$300, plus public notice costs; additional fees may be charged
Ferry Co.	Not provided	Phone: (509) Fax: (509)		\$200 non refundable appl fee; additional \$300 plus public notice costs
Franklin Co.	1533 E. Spokane, Suite C. Pasco, WA 99301	Phone: (509) 545-8546 x 121 (Nielson) Phone: (509) 585-4534 (Griffin) Fax: (509) 545-5859 Cell: (509) 735-1473 (Nielson) Mark-nielson@conservewa.net (Nielson) johng@ci.kennewick.wa.us (Griffin)	John Griffin Mark Nielson	\$650 per applic with up to two permits; \$650 per permit thereafter
Grant Co.	1525 East Wheeler Road Moses Lake, WA 98837	Phone: (509) 750-7589 (Rolfness) Phone: (509) 765-9655 (Ellis) Email: rolfb@accima.com	Bob Rolfness Keith Ellis	\$1000; \$200 filing fee + \$800 processing fee
Island Co.	370 N. East Camano Drive Suite 5, PMB 288 Camano Island, WA 98282-7279	Phone: 360-387-0680	Larry Bach	\$750; \$100 up front, non-refundable
Kittitas Co.	PO Box 1790 Ellensburg, WA 98926	(509) 899-5707 cheryvarnum@yahoo.com	Chery Varnum	\$100 non-refundable for submittal; \$500 acceptance fee + clerk time @ \$30/hr
Klickitat Co.	Klickitat Co. Nat Resources Dept. 228 West Main St., MS-CH-37 Goldendale, WA 98620	Phone: (509) 773-2481 Fax: (509) 773-6206 DaveM@co.klickitat.wa.us	Dave McClure	\$500

Board Name	Board Address	Board Phone/Email	Primary Contact Name	Fees
Lewis Co.	P.O. Box 1345 Chehalis WA 98532	(360) 740-9868 rmauel@earthlink.net	Ron Mauel, Secretary	\$500
Lincoln Co.	P.O. Box 368 Davenport, WA 99122	Phone: (509) 257-2800 Cell: (509) 995-5242 waterboard@co.lincoln.wa.us	Rex Harder	\$500 per application
Mason Co.	411 N. 5 th Street Shelton, WA 98584	(360) 427-9670, x 207 (Kerry Worf)	Kerry Worf Emmett Dobey	\$100 application plus \$800 processing fee
Okanogan Co.	Not provided			\$100 application plus \$500 processing fee
Spokane Co.	P.O. Box 13496 Spokane, WA 99213-3496	(509) 922-5127 or dj876@comcast.net	Doug Rider	\$200 application fee; \$500 processing fee
Stevens Co.	PO Box 731 Kettle Falls, WA 99141	(509) 258-4041 or wpmccart@juno.com	Wes McCart	\$1000 base fee, plus costs/publication
Thurston Co.	P.O. Box 1037 Olympia, WA 98507-1037	(360) 570-4416 or Jerry.Louthain@hdrinc.com (Louthain) (253) 502-2238 or mprhubright@comcast.net (Rhubright)	Jerry Louthain Mike Rhubright	\$1450 per application; \$300 filing fee + \$1150 processing fee
Walla Walla Co.	P.O. Box 1506 Walla Walla WA 99362	Phone: (509) 547-9312 (509) 544-6537 Cell: (509) 727-3446 Fax: (509) 547-4501 alankottwitz@bc.com	Alan Kottwitz	\$500 + publication notice
Whitman Co.	2892 Belsby Road Cheney, WA 99004	Phone: (509) 235-8581 or (509) 397-6200 nbelsby@earthlink.net	Nancy Belsby	\$300 application fee; \$300 for processing
Yakima Co.	2301 Fruitvale Boulevard Yakima WA 98902	Phone: (509) 574-2650 Fax: (509) 574-2651 sylvia.cervantes@co.yakima.wa.us	Sylvia Cervantes	\$100 non-refundable for submittal; \$500 acceptance fee

Appendix B

This list identifies all board commissioners and alternates who resigned between November 1, 2008 and October 31, 2010.

<u>Board Name</u>	<u>Commissioner</u>	<u>Position</u>	<u>Date resigned</u>	<u>Reason for ending service</u>
Adams Co.	Joyce McNeil	alternate	10/03/10	Term ended
Chelan Co.	Pete Fraley	commissioner	06/14/10	Pursue other interests
Douglas Co.	Mike Sachs	commissioner	09/12/09	Other commitments
Ferry Co.	Pat Hamilton	commissioner	03/12/10	Personal reasons
	Eric Bracken	commissioner	01/06/10	Moved from area
Island Co.	Bob Cray	commissioner	09/13/09	Request by county commissioners
Kittitas Co.	Mary Burke	commissioner	10/05/09	Moved from area
	Jerry Martens	alternate	04/30/09	Other commitments
Klickitat Co.	Bob Andrews	commissioner	07/31/09	Term ended
	Don Smith	commissioner	06/07/10	Moved from area
	Scott Andrews	alternate	07/31/09	Reappointed to commissioner position
	Craig Stephens	alternate	07/05/10	Reappointed to commissioner position
Mason Co.	Larry Mahoney	alternate	08/24/10	Personal reasons
	Bob Gantenbein	alternate	11/20/08	Reappointed to commissioner position
Okanogan Co.	Nim Titcomb	commissioner	03/31/10	Term ended
	Mary Anderson	commissioner	03/31/10	Personal reasons
Stevens Co.	Gene St. Godard	alternate	03/15/10	Personal reasons
	Gene Cada	commissioner	08/13/09	Personal reasons
	Bill Swartz	commissioner	03/30/10	Term ended
	Luke McGuire	alternate	09/07/09	Reappointed to commissioner position
Thurston Co.	Mike Schwisow	alternate	06/04/10	Personal reasons
	Tom Myrum	commissioner	01/31/10	Personal reasons
	Mike McGinnis	commissioner	01/27/09	Reappointed to alternate position
	Mike McGinnis	alternate	05/18/10	Personal reasons

Appendix C

Board members recognized for 10 years service.

Board member name	Board name	Service begin date
Bob Andrews*	Klickitat Co.	August 1, 1999
Richard Beightol	Klickitat Co.	August 1, 1999
John Griffin	Franklin Co.	August 2, 1999
Henry Johnson	Franklin Co.	August 2, 1999
Bob Rolfness	Grant Co.	September 3, 1999
Don Phelps	Chelan Co.	October 5, 1999
Mike Dobbins	Walla Walla Co.	October 19, 1999
Alan Kottwitz	Walla Walla Co.	October 19, 1999
Brian Worden	Walla Walla Co.	October 19, 1999
Dennis Swinger	Adams Co.	November 15, 1999
Keith Schafer	Lincoln Co.	December 6, 1999
Pat Hamilton*	Ferry Co.	March 31, 2000
Jim Nash	Ferry Co.	March 31, 2000
Jeremy "Nim" Titcomb*	Okanogan Co.	April 1, 2000
Lee Hemmer	Douglas Co.	June 20, 2000
Doug Rider	Spokane Co.	October 10, 2000

* No longer serving

Appendix D

Trainings agendas

- February 12, 2009 – An 8-hour regional continuing education training was held at the Ecology field office in Richland. The boards were asked to set the agenda. The following topics were discussed:
 - Review of basic water law using questions related to actual board activities.
 - Timelines
 - Public notice
 - Conflict of interest
 - Processing claims
 - RCWs, WACs, policies, case law, common law, and legal interpretations.
 - Tentative determination
 - Development schedules on change applications
 - Open Public Meetings Act
 - Stock watering
 - Determined future development
 - Supplemental rights
 - February 19, 2009 – An 8-hour regional board training was held in Spokane at the Ecology Regional Office. The boards were asked to set the agenda and the following topics were discussed:
 - Review of basic water law using questions related to actual board activities.
 - Timelines
 - Public notice
 - Conflict of interest
 - Processing claims
 - RCWs, WACs, policies, case law, common law, and legal interpretations.
 - Tentative determination
 - Development schedules on change applications
 - Open Public Meetings Act
 - Stock watering
 - Determined future development
 - Supplemental rights
 - February 24, 2009 – An 8-hour regional board training was held at Ecology Headquarters Office in Lacey. The boards were asked to set the agenda and the following topics were discussed:
 - Review of basic water law using questions related to actual board activities.
 - Timelines
 - Public notice
 - Conflict of interest
 - Processing claims
-

- RCWs, WACs, policies, case law, common law, and legal interpretations.
 - Tentative determination
 - Development schedules on change applications
 - Open Public Meetings Act
 - Stock watering
 - Determined future development
 - Supplemental rights
 - Water banking legislation
 - Trust water
 - Surface to ground water changes
- February 26, 2009 – An 8-hour statewide training meeting was held at the Wenatchee Department of Transportation office.
 - Review of basic water law using questions related to actual board activities.
 - Timelines
 - Public notice
 - Conflict of interest
 - Processing claims
 - RCWs, WACs, policies, case law, common law, and legal interpretations.
 - Tentative determination
 - Development schedules on change applications
 - Open Public Meetings Act
 - Stock watering
 - Determined future development
 - Supplemental rights
 - Trust water
 - Surface to ground water changes
- August 20, 2009 – An 8-hour regional training was held at Ecology's Eastern Regional Office in Spokane. The purpose of this training was to discuss:
 - State budget and boards
 - Tentative determinations – field trip
 - Impairment determination with permit exempt withdrawals
 - Development schedules
 - Review of statutory timeframes – Which are 5 years and which are 15 years?
 - Scenario review – Review of previous decisions and what works and what doesn't

- August 26, 2009 - An 8-hour regional training was held at Ecology's Headquarters Office in Lacey. The purpose of this training was to discuss:
 - State budget and boards
 - Tentative determinations – Beneficial use
 - Review of statutory timeframes – Which are 5 years and which are 15 years?
 - Open Public Meeting Act
 - Scenario review – Review of previous decisions and what works and what doesn't

- August 27, 2009 – Only two people showed for the scheduled 8-hour training in Yakima. We discussed board processes and brainstormed ideas for improvement among boards. We met for two hours.

- December 11, 2009 – A 4-hour statewide training was held in Ephrata. The purpose of this training was to discuss alternatives suggested by the boards in lieu of proposed legislation to amend the board statute, RCW 90.80. See the report of this meeting and the follow up in the *Water Conservancy Boards Plan for Self-policing* section for more information. The agenda was as follows:
 - Purpose of the meeting
 - Proposed legislation and why
 - Conflict of interest concerns – brainstorm
 - Ecology's authority to return without action – brainstorm
 - Discussion of board suggestions – memorandum of understanding to improve board and Ecology communication; statewide code of ethics.

- February 17, 2010 – An 8-hour regional training was held at the Grant County Office in Ephrata. The purpose of this training was to discuss:
 - Current legislation
 - Interruptible water rights – presentation by the Department of Health
 - State Environmental Policy Act (SEPA)
 - Proposed amendments to WAC 173-152, Water Rights
 - Supreme Court arguments of the municipal water law case – Video
 - Follow up to December 11 meeting. See *Water Conservancy Boards Plan for Self-policing* section for more information.

- February 23, 2010 – An 8-hour regional training was held at the Ecology field office in Richland. The purpose of this training was to discuss:
 - Current legislation
 - Supreme Court arguments of the municipal water law case – Video
 - Interruptible water rights – presentation by the Department of Health
 - State Environmental Policy Act (SEPA)
 - Follow up to December 11 meeting. See *Water Conservancy Boards Plan for Self-policing* section for more information
 - Tentative determinations
 - Trust water statutory changes including water banking
 - Current PCHB decisions

- February 25, 2010 – An 8-hour regional training was held at the Ecology Headquarters office in Lacey. The purpose of this training was to discuss:
 - Current legislation
 - Interruptible water rights – presentation by the Department of Health
 - State Environmental Policy Act (SEPA)
 - Supreme Court arguments of the municipal water law case – Video
 - Follow up to December 11 meeting. See *Water Conservancy Boards Plan for Self-policing* section for more information.
 - Proposed amendments to WAC 173-152, Water Rights
 - Trust water statutory changes including water banking
 - New policies

- August 4, 2010 – An 8-hour special training was held at the Spokane Regional Office. The training was provided to assist the Okanogan County Water Conservancy Board to resume operating. The board has been inoperable since May 2010 due to the loss of 2 members, temporary leave of the third member, and ineligibility by a fourth member. The County restructured the board from 5 to 3 members. Subjects covered included:
 - Field trip to Crystal Spring adjudicated area
 - Tentative determinations
 - Relinquishment
 - Review of actual application for water right transfer
 - Interpretation of terms related to supplemental rights
 - Water law timelines associated with conducting extent and validity assessments
 - Claims

Appendix E

Water Conservancy Board Summary of Water Right Change Application Processing November 1, 2008 to October 31, 2009

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded/ Returned w/out action	Withdrawn from Ecy	Appealed
Adams Established 10/12/99	0	0	0	0	0	0	0	0	0	0	0	0	0
Benton Established 07/10/98	0	3	3	0	1	2	0	0	12	0	0	0	1
Chelan Established 11/23/99	7	17	24	7	11	10	3	0	8	0	0	1	3
Douglas Established 03/30/00	0	5	5	1	1	0	4	0	2	0	0	0	4
Ferry Established 05/19/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Franklin Established 06/09/99	2	2	4	0	3	1	0	2	3	0	0	0	0
Grant Established 09/14/99	0	8	8	1	8	0	0	1	0	0	0	0	1
Island Established 08/06/01	0	0	0	0	0	0	0	0	0	0	0	0	0
Kittitas Established 10/16/00	0	7	7	2	0	7	0	0	5	0	0	2	0
Klickitat Established 07/01/99	0	5	5	4	3	2	0	0	5	0	0	0	0

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded/ Returned w/out action	Withdrawn from Ecy	Appealed
Lewis Established 07/10/98	0	0	0	0	0	0	0	0	0	0	0	0	0
Lincoln Established 11/23/99	0	1	1	1	1	0	0	0	1	0	0	0	0
Mason Established 09/04/02	0	0	0	0	0	0	0	0	0	0	0	0	0
Okanogan Established 05/12/00	1	3	4	0	3	1	0	1	2	0	1	1	1
Spokane Established 05/05/00	0	2	2	0	2	0	0	0	0	0	0	0	0
Stevens Established 01/25/02	0	1	1	0	1	0	0	0	0	0	0	0	0
Thurston Established 11/17/99	0	3	3	0	3	0	0	1	14	1	0	1	1
Walla Walla Established 10/05/99	0	8	8	1	8	0	0	0	21	0	0	1	0
Whitman Established 07/26/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Yakima Established 07/12/99	7	0	7	0	6	1	0	0	1	0	0	0	1
Totals	17	65	82	17	51	24	7	5	74	1	1	6	12

Appendix F

Water Conservancy Board Summary of Water Right Change Application Processing November 1, 2009 to October 31, 2010

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Adams Established 10/12/99	0	1	1	0	1	0	0	0	0	0	0	0	0
Benton Established 07/10/98	0	8	8	0	2	5	0	0	8	0	0	1	0
Chelan Established 11/23/99	0	9	9	5	1	6	2	0	9	0	0	5	1
Douglas Established 03/30/00	0	6	6	4	5	0	0	0	5	0	0	3	1
Ferry Established 05/19/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Franklin Established 06/09/99	0	12	12	0	11	1	10	0	8	0	0	0	0
Grant Established 09/14/99	0	12	12	4	12	0	0	2	8	1	0	0	0
Island Established 08/06/01	0	0	0	0	0	0	0	0	0	0	0	0	0
Kittitas Established 10/16/00	0	7	7	5	1	6	0	0	8	0	1	0	0
Klickitat Established 07/01/99	0	2	2	0	1	1	0	0	1	0	0	0	0
Lewis Established	0	0	0	2	0	0	0	0	1	0	0	0	0

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
07/10/98													
Lincoln * Established 11/23/99	0	0	0	0	0	0	0	0	0	0	0	0	0
Mason Established 09/04/02	0	0	0	0	0	0	0	0	0	0	0	0	0
Okanogan * Established 05/12/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Spokane Established 05/05/00	0	1	1	0	1	0	0	0	0	0	0	0	0
Stevens Established 01/25/02	1	5	6	0	2	3	1	1	1	0	0	0	0
Thurston Established 11/17/99	0	2	2	0	2	0	0	0	0	0	0	0	0
Walla Walla Established 10/05/99	1	10	11	3	11	0	0	0	12	0	0	0	0
Whitman Established 07/26/00	0	2	2	0	2	0	0	0	2	0	0	0	0
Yakima Established 07/12/99	0	2	2	2	1	1	0	0	2	0	0	2	0
Totals	2	79	81	25	53	23	13	3	65	1	1	11	2

*Board report not received.

Appendix G

November 1, 2008 – October 31, 2010

Summary of Water Right Change Application Processing – As reported by the Boards

Board	Total apps accepted by Boards	Records of Decision				
		Approved/ Partially Approved	Denied	Returned w/o action or Remanded	Withdrawn by applicant	Appealed ³
Adams Established 10/12/99	1	0	0	0	0	0
Benton Established 07/10/98	11	20	0	0	0	1
Chelan Established 11/23/99	33	17	0	0	12	6
Douglas Established 03/30/00	11	7	0	0	3	3
Ferry Established 05/19/00	0	0	0	0	0	0
Franklin Established 06/09/99	16	11	0	0	0	0
Grant Established 09/14/99	20	8	1	0	5	1
Island Established 08/06/01	0	0	0	0	0	0
Kittitas Established 10/16/00	14	13	0	1	7	0
Klickitat Established 07/01/99	7	6	0	0	4	0
Lewis Established 07/10/98	0	1	0	0	0	0
Lincoln ⁴ Established 11/23/99	1	1	0	0	1	0
Mason Established 09/04/02 Dissolved 02/26/08 Reestablished 05/20/08	0	0	0	0	0	0
Okanogan ² Established 05/12/00	4	2	0	1	0	1
Spokane Established 05/05/00	3	0	0	0	0	0
Stevens Established 01/25/02	7	1	0	0	0	0
Thurston Established 11/17/99	5	14	1	0	0	1
Walla Walla Established 10/05/99	19	33	0	0	4	0
Whitman Established 07/26/00	2	2	0	0	0	0
Yakima Established 07/12/99	9	3	0	0	2	1
Totals	163	139	2	2	38	14

³ Ecology tracks appeals data.

⁴ Data reflects Nov. 1, 2008 to Oct. 31, 2009 only. 2010 report not received from board.

Appendix H

November 1, 2008 – October 31, 2010

Summary of records of decision reviewed by Ecology as recorded in Ecology's Water Right Tracking System Database.

Central Region

Board name	ROD Withdrawn	ROD Affirmed	ROD Modified	ROD Reversed	ROD Remanded
Benton	1	0	12	2	0
Chelan	6	2	11	4	0
Douglas	3	0	4	3	0
Kittitas	6	0	12	2	1
Klickitat	0	0	5	0	0
Okanogan	5	0	5	1	0
Yakima	2	1	6	0	0
Region Total	23	3	55	12	1

Eastern Region

Board name	ROD Withdrawn	ROD Affirmed	ROD Modified	ROD Reversed
Adams	0	0	0	0
Ferry	0	0	0	0
Franklin	0	0	5	0
Grant	2	2	13	1
Lincoln	1	0	1	0
Spokane	0	0	1	0
Stevens	0	0	0	0
Walla Walla	1	6	27	0
Whitman	0	0	0	0
Regional Total	4	8	47	1

Southwest Region

Board name	ROD Withdrawn	ROD Affirmed	ROD Modified	ROD Reversed
Lewis	0	0	0	0
Mason	0	0	0	0
Thurston	1	4	9	0
Regional Total	1	4	9	0

Appendix I

Board Change Decisions and Appeal Rates

	2007-2009 Decision and Appeal Rates					2007			2008			2009		
Board	Total bd decisions	% of bd decisions among all board decisions	Total appeals	% Appeals on board's decisions	% of all board appeals	Decisions	Appeals	% Appeal	Decisions	Appeals	% Appeal	Decisions	Appeals	% Appeal
Adams	0	0%	0	0%	0%	0	0	0%	0	0	0%	0	0	0%
Benton	48	19%	3	6%	12%	20	0	0%	19	2	11%	9	1	11%
Chelan	35	14%	7	20%	28%	10	2	20%	15	0	0%	10	5	50%
Douglas	11	4%	2	18%	8%	4	0	0%	5	1	20%	2	1	50%
Ferry	0	0%	0	0%	0%	0	0	0%	0	0	0%	0	0	0%
Franklin	5	2%	1	20%	4%	2	0	0%	1	0	0%	2	1	50%
Grant	16	6%	0	0%	0%	9	0	0%	6	0	0%	1	0	0%
Island	0	0%	0	0%	0%	0	0	0%	0	0	0%	0	0	0%
Kittitas	25	10%	0	0%	0%	9	0	0%	6	0	0%	10	0	0%
Klickitat	11	4%	1	9%	4%	2	0	0%	4	1	25%	5	0	0%
Lewis	0	0%	0	0%	0%	0	0	0%	1	1	100%	0	0	0%
Lincoln	4	2%	0	0%	0%	0	0	0%	2	0	0%	2	0	0%
Mason	0	0%	0	0%	0%	0	0	0%	0	0	0%	0	0	0%
Okanogan	16	6%	1	6%	4%	1	0	0%	12	0	0%	3	1	33%
Spokane	1	0%	0	0%	0%	0	0	0%	1	0	0%	0	0	0%
Stevens	2	1%	0	0%	0%	2	0	0%	0	0	0%	0	0	0%
Thurston	25	10%	5	20%	20%	3	0	0%	7	4	57%	15	1	7%
Walla Walla	34	14%	0	0%	0%	10	0	0%	8	0	0%	16	0	0%
Whitman	4	2%	4	100%	16%	4	4	100%	0	0	0%	0	0	0%
Yakima	13	5%	1	8%	4%	6	0	0%	4	1	25%	3	0	0%
Totals	251	100%	25	10%	100%	82	6	7%	91	10	11%	78	10	13%

Appendix J

Results of appeals filed between January 2007 – December 2009

PCHB No.	Board	Appellant	Reason for Ecology modification/reversal of decision	Result
09-044	Benton	Shaw Vineyards	Reverse -Insufficient description of other water rights; Insufficient impairment analysis;	Stipulated dismissal agreement. Adjudication court certified certain issues to the PCHB for its determination in connection with the adjudication. The adjudication court agreed with Ecology that the primary and supplemental rights are coupled.
09-143	Benton	Candy Mountain	Modify - Water quantity amounts reduced; development schedule made to reflect current status of construction; provisions	Stipulated agreement. Ecology reissued the order to reflect increase in acre feet.
09-116	Chelan	Malaga Water District	Reverse - Inadequate impairment analysis; future consumptive use unclear; insufficient signature authority;	Stipulated agreement. Ecology reissued the order to reflect additional investigation.
09-074	Chelan	City of Entiat	Modify -Acre feet calculations; annual consumptive quantity calculation; Construction schedule; instream flow provision	Joint stipulation and agreed order of dismissal corrects the acre-ft/year. Ecology reissued the order.
09-031	Chelan	Isenhardt Irr Dist	Reverse -Inadequate extent and validity of water right, e.g., determined future development, muni supplier; insufficient historical irrigation; insufficient impairment analysis; insufficient description of other water rights; insufficient public notice;	Stipulated agreement. Ecology reissued the order after the applicant provided additional support for determined future development, completed SEPA, and agreed to provisions ensuring compliance with the water code.
07-090 07-091	Chelan	Premium Development	Reverse -Inadequate extent and validity of claim; question of enlargement; lack of source evaluation-surface to ground; interruptible water right issues w/ Dept. of Health; consumptive use vs. minimum flows; vague proposed well location. Higher duty allowed on one decision over another unexplained.	Negotiated settlement – additional investigation and agreement between parties as to additional provisions on the change to ensure compliance with the water code. Ecology reissued the orders.
09-114 09-115	Chelan	Anderson Parker	Reverse -Insufficient impairment analysis; SEPA compliance; insufficient signatures on application; inconsistent tentative determination; consumptive use calculations; Additional purpose approved by board but not addressed in the report; well locations;	Summary judgment in favor of Ecology; parties stipulated to a settlement and appeal dismissed. Parties refiled with conservancy board under a modified project, healed procedural defects, and were successful in obtaining approval from Ecology.
09-063	Douglas	Bickford	Reverse -Insufficient extent and validity analysis; annual consumptive quantity analysis inconsistent with statute.	Summary judgment to Ecology. Appellant withdrew upon learning of pending decision and resubmitted project following change in law regarding annual consumptive quantity. Ecology issued partial approval for the project. The denied portion of the project involved another owner of the water right, who appealed and that case is pending.

PCHB No.	Board	Appellant	Reason for Ecology modification/reversal of decision	Result
07-059	Douglas	CDL Development	Reverse – Violation of RCW 90.66.065 – Family Farm Permit	Summary judgment request by Ecology. Appellant withdrew.
07-044	Douglas	Lone Pine Orchard	Reverse – Insufficient extent and validity analysis; Overlapping water rights not addressed; expansion of the claim; interruptible domestic use not addressed to ensure Dept. of Health reliability test is met;	Settled. Appellant withdrew. Ecology did the hydraulic continuity and impairment analyses and added conditions to instream flows.
07-064	Klickitat	Klickitat PUD	Modify -determined future development; sufficient cause-relinquishment; identification of proposed place of use; language changes; use of water right with other appurtenant rights; addition of provisions	Stipulated agreement- Ecology revised administrative order qualifying the determined future development for a power project.
08-083	Thurston	Hansen	Reverse -Seasonal to continuous; challenged Ecology's timeliness of action, exceeding legal authority and whether agency's conclusions were lawful.	Appellant request for summary judgment led to stipulated agreement. Ecology revised administrative order.
08-087 ⁵	Thurston	Thurston Co.	Modify -Issues of minimum instream flows and impairment of base flows on the Chehalis River.	Disputes resolved.
08-069 ³	Thurston	Thurston Co.	Modify -Issues of minimum instream flows and impairment of base flows on the Chehalis River.	Disputes resolved.
08-0703	Thurston	Thurston Co.	Modify -Issues of minimum instream flows and impairment of base flows on the Chehalis River.	Disputes resolved.
08-071 ³	Thurston	Thurston Co.	Modify -Issues of minimum instream flows and impairment of base flows on the Chehalis River.	Disputes resolved.
07-159, 07-158, 07-157, 07-156	Whitman	Hawkins Group, et al – Consolidation of 4 appeals	Modify – Added provision 2 Affirms Reverse – Mitigation issues	Withdrawal of cross appeals with conditions.
09-016	Yakima	Mashburn	Modify - Legal descriptions; decrease seasonal irrigation acres; correct status of additive to non-additive alternative source; provisions	Stipulated agreement between parties.

2007 through 2009 appeals and results from the PCHB

⁵ Although there are four separate appeals on four Thurston County applications, the appeals were consolidated and considered as one project for the purposes of efficiency.

Appendix K

2009 Report to Legislature
Adams County Water Conservancy Board
 November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
Board name	Adams Co. Water Conservancy Board			Date board established	October 12, 1999
Board address/ phone/email	402 E. Main Ave. Ritzville, WA 99169 509 659-1553 and/or jm@odessaoffice.com				
Board commissioners	Dennis E. Swinger, Sr., , Chair Rudy Plager, Commissioner Chris Lyle, Commissioner , Commissioner , Commissioner , Alternate Joyce L. McNeil, Alternate			Term Expiration Date	
				11/14/2009	
				11/14/2013	
				11/14/2011	
				01/27/2014	
				10/03/2010	
Primary board contact	Joyce L. McNeil, Alternate Bd. Commissioner				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	New <input type="checkbox"/> Resigned				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	4th Monday of each month at 7p.m., except July				
Regular meeting location	402 E. Main Ave. Ritzville, WA 99169				
Current fee for processing	\$500.00 per application			Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in					
Property owned by WCB	Book shelf and office supplies				
Number & type staff/volunteer assistance	one Volunteer				
Training received other than through Ecology					
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no					
Training received other than from ecology	Title of Training	Date(s)		Sponsor	
Forms attached <input type="checkbox"/>					
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	0
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/08 to 10/31/09	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 36	Esquatzel	0
WRIA 41	Lower Crab	0
WRIA 34	Palouse	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	(sum of all RODs)	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature

Adams County Water Conservancy Board

November 1, 2009 through October 31, 2010

Water Conservancy Board Information					
Board name	Adams Co. Water Conservancy Board			Date board established	October 12, 1999
Board address/ phone/email	402 E. Main Ave. Ritzville, WA 99169 509 659-1553 and/or adamcd@ritcom.net				
Board commissioners	Dennis E. Swinger, Sr., , Commissioner Rudy Plager, Commissioner Chris Lyle, Commissioner , Commissioner , Commissioner Reid Phillips, Alternate Vacant, Alternate			Term Expiration Date	
				11/14/2015 11/14/2013 11/14/2011 01/27/2014 10/03/2016	
Primary board contact					
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	Joyce McNeil New <input type="checkbox"/> Term ended <input checked="" type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	4th Monday of each month at 7p.m., except July				
Regular meeting location	402 E. Main Ave. Ritzville, WA 99169				
Current fee for processing	\$500.00 per application			Has this changed from last year? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in					
Property owned by WCB					
Number & type staff/volunteer assistance					
Training received other than through Ecology					
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input type="checkbox"/> no					
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor		
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	none
	With individual board commissioner	none
Total applications accepted by the board	Conveyed from Ecology	none
	Filed originally with WCB	one
	Total applications accepted 11/01/09 to 10/31/10	one
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	none
	Board declined to process	none
Applications for	Ground water transfers	one
	Surface water transfers	none
	Surface to ground or ground to surface water	none
Proposing transfer related to:	Certificates	one
	Water right claims	none
	Court claims or other documents	none
	Trust water	none
Hearings in other counties¹		none
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 36	Esquatzel	none
WRIA 41	Lower Crab	one
WRIA 34	Palouse	none
Records of Decisions by the Board		
Approved	none	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

Benton County Water Conservancy Board Annual Report: October 2008-October 2009

Transmittal: E-Mail/Hard Copy

DATE: October 31, 2009

TO: Ms. Janet Rajala, WADOE, Spokane Office
Board of Benton County Commissioners

FROM: Darryll Olsen, Ph.D.
Chairman, Benton County Water Conservancy Board
509-783-1623, FAX 509-735-3140

SUBJECT: Annual Report For Benton County Water Conservancy Board
(Water Board)

The following information provides a status report on the activities of the Benton County Water Conservancy Board (Water Board) for operations commencing in the fall of 1998 through October 2009. This information is provided to the WADOE to meet its reporting requirements to the Washington State legislature and to inform the Benton County Commissioners.

BACKGROUND AND OPERATIONS

The Benton County Water Conservancy Board (Water Board):

The Water Board membership is as follows:

- Darryll Olsen, Ph.D., Regional Planner/Resource Economist, The Pacific Northwest Project, Kennewick, WA (Chairman); land owner served by irrigation district water rights.
- John Jaksch, Ph.D., Resource Economist, Pacific Northwest Laboratory, Richland, WA (Vice-Chairman); land owner served by irrigation district water rights.
- Matt Berg, B.A., Agricultural Economics, Berg Farms, Prosser, WA (Treasurer); land owner and holder of water rights.

**3030 W. Clearwater, Ste. 205-A, Kennewick, Washington, 99336
509-783-1623, FAX 509-735-3140**

Water Board Training and Related Activities:

The Water Board members have participated regularly in or received:

- Training workshops held by the WADOE (1998 and 1999), whenever invitations are extended to water conservancy board members (Olsen, Jaksch, Berg).
- Training workshop held jointly by WADOE and BCWCB (fall 1999) (Olsen, Jaksch, Berg).
- All Boards Workshop and Training (2000 and 2002) (Olsen, Jaksch, and Berg).
- Participation in drafting 2000 and 2001 legislative changes for water conservancy boards, including legislative hearing testimony (Olsen, Berg, Jaksch); participation in rule-making review, 2002 (Olsen).
- Water Law and Policy Seminars, 1999-2001 (for example, CLE and AWWA seminars) (Olsen).
- Review of all WADOE updates and court cases distributed to the Water Boards by WADOE and on the WADOE website (Olsen, Berg, Jaksch).
- Participation in professional and business associations that are active in state and federal water management policy (Olsen, Berg).
- Direct participation with legislators in drafting 2003 legislative changes to RCW 90.03.380 affecting changes/transfers and water right relinquishment under the “beneficial-use” test.
- Participation in 2003 lawsuits affecting Water Board decisions for water right changes, Desert Hills and West Richland vs WADOE (Olsen, Berg, Jaksch).
- Prepared and distributed legal opinions on WADOE proposed policy for implemented RCW 90.03.380, 2003.
- Scheduled/participated in WADOE annual workshop training in 2003 (Olsen, Berg, Jaksch).
- Participated in training workshops offered in 2004-6 (Olsen, Berg, Jaksch).
- Attended scheduled training workshop in Tri-Cities, WA, January 2007 (Olsen, Jaksch, Berg), with Berg receiving additional training during the year.
- Attended scheduled training workshop in Yakima, WA, January 2008-09 (Olsen, Jaksch, Berg).

Water Board Fees/Funding:

The Water Board reviews potential applications for transfers/changes and formally accepts appropriate applications (applications that meet the minimum standards for review) for review and processing. When accepted for review, the Water Board charges a fee of \$250 per application. The fee is used principally to cover public notice and related notification costs. The Water Board has met the information requests from all third parties consistent with existing state agency standards.

Consistent with RCW 90.80.060 and review by the Water Board’s legal counsel, the Water Board may accept financial grants or donated services from public entities, academic institutions and foundations, private organizations, or private corporations or individuals. Any funding received via grants and donations must be used for Water Board activities that support broad public needs or issues affecting the universal application of the state water code, relative to Water Board purposes.

The Water Board has received small financial grants from the Benton County Commission (\$1,000, \$5,000, and \$7,000), from the Benton Rural Electric Association (\$1,500), and from the State Dept. of Natural resources (\$5,000). The grants were provided to support initial start-up activities, to support

technical analyses related to water use, and to support Water Board participation in and review of state legal issues affecting Water Board operations (legal opinions and some related briefs).

The Water Board has received donations of legal services and legal support from Benton REA, the City of West Richland, the Columbia-Snake River Irrigators Association, and individual water right holders; and some attorneys working with the Water Board have donated time. Also, the Water Board has received legal review interpretations of the water code from state agencies. The Water Board only engages in litigation activities that are relevant to issues of broad public application of the water code by the Water Board.

In 2008, the Water Board prepared an audit of a water right for Energy Services and received a fee of \$2,000.

Water Board Staff:

The Water Board has retained a public information officer to be the contact point for third-party inquiries and to distribute to third-parties copies of requested materials. No recent inquiries have been made, in 2005-09.

The Water Board has received the services of several local attorneys (paid and donated time) for issues related to state-wide water policy issues. The Water Board does require applicants to fund needed legal services affecting their water right change/transfer. And some legal services for the Water Board have been paid by third parties, as noted above.

The Benton County Commission has made available a public record site for public access to applications under review, RODs, and meeting minutes.

Water Board Water Marketing Activities:

The Water Board has published locally—usually several times annually—a general "Markets for Water" notification, for those parties interested in buying or selling water rights. The Water Board attempts to facilitate such transactions whenever possible. The Water Board has received several inquiries about water available for transfer and referred such inquiries to appropriate parties.

The Water Board has reviewed several applications involving water market transfers/changes.

Water Board Review Standards for Transfers/Changes Applications:

The Water Board performs an extensive level of review, including: verifying the existing water right, determining the extent of beneficial use, review of potential impairments and consistency with public interest under the law, and providing operational conditions to ensure that use is consistent with existing laws for water well construction, metering of water use, as well as other water use requirements.

Public Access/Comments to Water Board Review of Applications:

The opportunity for public access to or comments on water right transfers/changes reviewed before the Water Board is substantial; and the Water Board review process actually expands opportunities for public comment beyond the protocol conducted solely by the WADOE.

The Water Board provides for public notice of transfer/change applications formally received, they distribute copies of applications to parties requesting notice of all application reviews (including several state agencies and tribes), and they receive formal comments submitted to them by any party. All comments, if any are received, become part of the formal record of decision (ROD).

BCWCB Meeting Agendas and Minutes:

The agendas for the BCWCB meetings are fixed, with the same topics covered each meeting. Agendas are distributed at each meeting for all meeting participants. The agendas include:

- Meeting call to order and approval of previous meeting minutes.
- Financial report from the treasurer.
- Application update and review (receipt of new applications, review of draft RODs, approval of requests and RODS).
- Litigation (if any) and Special Topics.
- Future meeting schedules.
- Public comment/Hearings.
- Meeting adjournment.

All BCWCB meetings, and general workshops, are open to the public with meeting dates published in the local paper, and third parties are notified upon request. Meeting minutes are available to any party upon request and are filed at the County's public file site. Meeting minutes are not recorded for informal work meetings, where no decisions are made (such meetings usually deal with very specific technical issues, where such information is eventually included within the Report of Examination/Record of Decision which is open for public review and comment).

Water Board Public Hearings, Litigation Actions, and Legislation:

Some of the applications reviewed and record of decisions (RODs) prepared by the Water Board have required public hearings, consistent with RCW 90.80 and agency rules. Any written comments received from any party concerning a specific application have been noted within the ROD. The Water Board conducts a public hearing on a transfers/changes application, where it involves an inter-county transfer/change. Hearings have been in Kennewick and Ellensburg, WA, in 2007-08; and 2009.

The Water Board has directly participated in the past litigation surrounding general water conservancy board authority and implementation of the water code, as an amicus, an intervener, and a plaintiff. Water Board litigation activities are limited to issues that support broad public needs, or issues affecting the universal application of the state water code, relative to Water Board purposes. The litigation involves the direct interpretation of the water code relative to water rights.

The Water Board has participated within two stipulated settlement agreements between WADOE and applicants (Benton County and Desert Hills). The Water Board engaged in litigation (2003-4) with WADOE concerning a West Richland change/transfer, where the Water Board's decision was upheld in Superior Court; and the Water Board engaged in litigation against WADOE in 2004 regarding the use of agency policy as an illegal "rule" concerning the quantification of water rights. The Water Board reached a legal settlement agreement with WADOE concerning the implementation of RCW 90.03.380, the extent and validity of a water right for change/transfer (October 2004).

The Water Board participated in the 2001 legislative actions involving the authority of Water Conservancy Boards, and reviews new water law proposal and bills. The Water Board monitors new legislative proposals affecting the implementation of state water law.

The Water Board participated in review/revising the existing WACs in 2006, at the annual training meeting.

STATUS OF APPLICATION REVIEWS AND ROE/RODS

Status of Water Right Transfers/Changes Under BCWCB Review:

The BCWCB has reviewed numerous applications for water right transfers/changes, affecting water right claims, permits, and certificates; the nature and status of which are summarized below and in the attached WADOE Form.

Record of Decisions Approved by Water Board Prior to 11/2001:

- Kennewick Hospital District and Boudier Orchards, groundwater transfer/change request for place of use, inchoate groundwater permit change request, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Benton County and Barker Ranches, surface water (Yakima River) claim transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCD; request denied by WADOE but with stipulated settlement agreement upholding the Record of Decision issue by BCWCB (claim).
- Soaring Eagle Ranches No.1, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Soaring Eagle Ranches No.2, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.

- Shore Properties-Washington Fruit and Cold Storage, surface water (Columbia River) transfer/change request for change in point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB, decision modified by WADOE with WADOE re-issuing second modification order due to technical error by WADOE in original modification order; WADOE and BCWCB concur on revised modification order (certificate).
- City of West Richland (Michels water right), groundwater transfer/change request for place of use, point of diversion, seasonal change, and purpose of use, request approved by the BCWCB and denied by WADOE; applicant has appealed to PCHB and requested settlement agreement with WADOE, but WADOE is now denying permit extension with water right holder challenging WADOE denial of extensions (permit), currently in PCHB review.
- Berg Farms, surface water transfer/change request for added point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, and place of use; request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- City of West Richland, groundwater transfer/change request for point of diversion; request approved by BCWCB (Certificate); affirmed or affirmed with modifications by WADOE.
- City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (irrigation sector); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (domestic use); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for added point of diversion, change to place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.

- Belzer and Manuel, groundwater transfer/change request for place of use for inchoate water, for a lot within a private development; request approved by BCWCB (permit), affirmed by WADOE.

Applications Received/Processed/Pending Review by Water Board 11/2001-10/2002:

- City of West Richland, groundwater change/transfer request for change to purpose and place of use; request approved by BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Plymouth Energy, LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Plymouth Farms, purpose and place of use LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Battelle Memorial Institute, PNNL, surface water from the Columbia River change/transfer request for change to purpose of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.
- Battelle Memorial Institute, PNNL, groundwater change/transfer request for change to place/time of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.
- Badger Canyon Ranch, Wiser, groundwater change/transfer request for change to purpose and place of use; request approved by the BCWCB (certificate), affirmed or modified and affirmed by the WADOE.

Applications Processed or Received Pending Review by Water Board 10/2002-10/2003:

- Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (permit); approval accepted by WADOE after litigation stipulated settlement agreement.
- Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (certificate); approval accepted by WADOE after litigation stipulated settlement agreement.
- C&M Orchards, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- Mt. Adams Vista Water System, groundwater change/transfer request for change of purpose and place of use; request investigated by the BCWCB and determination made that water use

could be best accomplished under the domestic water use exemption (permit); BCWCB notified WADOE that applicant would be servicing two lots via groundwater use exemption for permit; file closed for further action by the BCWCB.

- WA State Dept. of Natural Resources, groundwater transfer/change request for point of diversion and place of use, draft ROD prepared by BCWCB (permit); request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, surface water (Columbia River) change/transfer request for change to point of diversion; request will be approved by BCWCB having received final review by WADOE of permit extension (extension approved in 2003); active status, pending as of 10/2003.
- Stimson-Lane, LTD, surface water (Columbia River) change/transfer request for change to place of use; applicant requested application withdrawal during BCWCB review; BCWCB withdrawal of application from review.
- Haag-Williams, groundwater change/transfer request for change to purpose and place of use (certificate); received 10/2002; BCWCB determined that applicant's request could be serviced via existing exempt well; BCWCB notified WADOE that applicant would be servicing six lots via groundwater use exemption for permit; file closed for further action by the BCWCB.
- Monson Ranches, groundwater change/transfer request for change to place of use; applicant requested withdrawal of application after litigation settlement agreement with DNR (permit).
- Maryhill Museum, groundwater (surface water continuity with Columbia River) transfer/change request for point of diversion, place of use, seasonal change, and purpose of use; draft ROD in preparation by the Board (permit), WADOE has made determination that the specific hydrology features likely represent same body of water for management purposes; applicant has requested hold on action pending water right sales agreement (permit); active status, pending 10/2003.
- Cone/Underwood, groundwater change/transfer request for change in place of use; received 2003; applicant has requested hold on action pending additional legal review.

Applications Processed or Received Pending Review by Water Board 10/2003-10/2004:

- Plymouth Farms, LLC, groundwater change/transfer request for additional points of withdrawal and extended period of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- Lawrence Pearson, groundwater change/transfer request for point of diversion and place of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.

- Hedges and Lawrence Pearson, groundwater change/transfer request for point of diversion (permit); received 2004; final ROE/ROD prepared by BCWCB June 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use; received 2003; ROD/ROE prepared by BCWCB March 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use (permit); received 2003; ROD/ROE prepared by BCWCB September 2004; request approved by the BCWCB (permit), pending WADOE Review.
- Olsen Bros. Farms, groundwater change/transfer request for point of diversion and place of use (permit); received 2003; ROD/ROE prepared by BCWCB October 2004; request approved by the BCWCB (permit), pending WADOE Review.
- WA State Dept. of Natural Resources, groundwater change/transfer request for point of withdrawal (permit); received 2004; pending review by BCWCB.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit); received 2004; pending review by BCWCB.

Applications Processed or Received by Water Board 10/2004-10/2005:

- Bitton Farms, groundwater change/transfer request for change to point of withdrawal and place of use; request approved by the BCWCB July 2005 (permit), affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit G4-25953(A)P); request approved by the BCWCB April 2005, affirmed or modified by the WADOE.
- Richard Gurske, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB March 2005 (permit), affirmed or modified by the WADOE.
- SDH Trust, groundwater change/transfer request for change to point of withdrawal and place of use; request approved by the BCWCB January 2005 (permit), affirmed or modified by the WADOE.
- Kendall Wahlquist, Surface Water Yakima River, change/transfer request for point of withdrawal change; request approved by the BCWCB May 2005 (water right claim CS4-00151CTCL@1), affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use (permit G4-28833P); ROD/ROE prepared by BCWCB September 2003/2004, and subject of litigation review; request approved by the BCWCB October 2005, pending WADOE review.

- Watts Bros., surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request approved by the BCWCB October 2005, pending WADOE review.
- Mercer Ranches, surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request received by the BCWCB December 2001.
- City of Richland, groundwater right, certificate (CG4-28515C), change/transfer request for change in place of use, received by the BCWCB January 2005.
- City of Richland, surface water right, Columbia River, certificate (S4-12666C), change/transfer request for change to point of withdrawal, received by the BCWCB April 2005.
- Ste. Michelle Wine Estates, LCC., surface water right, Yakima River, change to point of withdrawal, place of use, and purpose of use, received by the BCWCB October 2005. Note: application requested to be withdrawn before legal notice publication/formal acceptance.

Applications Processed or Received by Water Board 10/2005-10/2006:

- City of Richland, groundwater right, certificate (CG4-28515C), change/transfer request for change in place of use, request approved by the BCWCB April 2006/January 2005; affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal change, CG4-23969C@2; request approved by the BCWCB April 2006; affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use change, CG4-30827P; request approved by the BCWCB April 2006; affirmed or modified by the WADOE.
- Mercer Ranches/Bolthouse Farms, surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request approved by the BCWCB February and May 2006 (ROE/ROD withdrawal once for additional SEPA checklist review); affirmed or modified by the WADOE.
- Wisner Farms, groundwater right, certificate (CG4-23101C@1), change/transfer request for change in place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG3-21610C, change/transfer request to place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG4-GWC5494-A, change/transfer request to place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG4-GWC-5458-A, change/transfer request to place of use; request approved by the BCWCB October 2006.

Applications Processed or Pending by Water Board 10/2006-10/2007:

- City of Richland, surface water right certificate (CG4-SWC9005), change/transfer request for change in point of withdrawal, request approved by the BCWCB May 2007; affirmed or modified by the WADOE; affirmed or modified by the WADOE.
- AgriNorthwest-AgReserves, Inc., surface water permit (CS4-13134P@2), change/transfer request for change to purpose of use and time of use, request approved by the BCWCB August 2007; affirmed or modified by the WADOE.
- DNR groundwater right permit (CG4-28833P@3), change/transfer request for place of use, request approved by the BCWCB September 2007; affirmed or modified by the WADOE.
- FSNTN LCC, groundwater permit (CG4-26953(D)P), change/transfer request for change to place of use and added point of diversion, request approved by the BCWCB October 2007.
- FSNTN LCC, groundwater permit (CG4-26953(B)@1P), change/transfer request for change to place of use and added point of diversion, request approved by the BCWCB October 2007.
- Wallula Vineyards, surface water certificate (CS4-SWC9974(A)), change/ transfer request for change to place of use, point of diversion, and time of use, request approved by the BCWCB October 2007.
- Wallula Vineyards, surface water certificate (CS4-01228C(A), change/ transfer request for change to place of use, point of diversion, and time of use, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-24124C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-24174C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater permit (CG4-24640(B)P), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG3-00349C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-23893C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.

- City of West Richland, groundwater permit (CG4-26491P), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-26280C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-25902C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG-4768-A), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG-3082-A), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-26268C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- Red Mt. Water LLC, surface water right certificate (CS4-00788CTCLsB24@2-11-08-1870), change/transfer request for change to place of use and point of withdrawal, request approved by the BCWCB October 2007.
- Red Mt. Water LLC, surface water right certificate (CS4-00788CTCLsB24@3-06-05-1873), change/transfer request for change to place of use and point of withdrawal, request approved by the BCWCB October 2007.

Applications Processed or Pending by Water Board 10/2007-10/2008:

- NOTE: West Richland water right changes/transfers noted above (11) for 2007 were withdrawn per Ecology additional request for third impairment analysis and re-submitted for action, request approved by BCWCB August 2008; all affirmed or modified by WADOE.
- Ste. Michelle Wine Estates, groundwater right permit CGS-30288P, request to change to place of use; request approved by BCWCB December 2007, affirmed or modified by WADOE.
- Easterday Farms, surface water right certificates (5) being reviewed with amendment to original application Applications relate to Columbia River surface water rights S3-22572C, S3-00286C, S4-23978(A)C, S4-23978(B)C and S4-23874(A)C. The Water Board is reviewing this change/transfer as a consolidation of the water rights to function operationally as a single project. The water right change/transfer will involve: 1) a reduction of allowed water use from the existing certificated rights; 2) a recalibration of the water rights to account

for available water (Annual Consumptive Quantity) for change/transfer under RCW 90.03.380; 3) an increase to allowed irrigated acres with reduced water duty per acre, not to exceed determined ACQ available for change/transfer; and 4) adding points of withdrawal (combining the existing points of withdrawal for all four water rights); and with the intent to standardize the existing irrigation diversion periods to all within the period January 1 to December 31, with a priority date of January 1, 2007 (or the date of the latest priority date among the above water rights); request approved by BCWCB April 2008; all affirmed or modified by WADOE.

- Col Solare, surface water right CFO CS4-00169CTCL@3, revised to @6, from previous change action to Red Mt., request to change place of use with no expansion of irrigated acres; request approved by the BCWCB October 2008, request for affirmed or modified by WADOE pending.
- Applications pending review: Four Feathers Fruit Co., (2) groundwater right (superseding permit) G4-23888P and CG3-21764C; requests added point of withdrawal, and change to seasonal irrigation use from February 1, to November 30 (new period of use). Purpose of use to remain as irrigation; no change to total irrigated acres, change to place of use for some acreage. The applicant intent is to continue use of an authorized water right, with no increase in quantity of water use, with no increase to irrigated acres.
- Application pending review, Candy Mt. LLC, groundwater certificate CG4-30508, request to change to point of withdrawal, no change to purpose of use, place of use, or quantity of use.
- Applications (2) pending review, Shaw Vineyards, surface water Claims Nos. 00484/(A)04498 CFO issued per the Yakima Basin Adjudication, request for change to point of diversion, place of use, and added irrigated acres.
- Application pending review, Sandpiper Farms, surface water certificate (Columbia River) CS4-22005C, request for change to place of use, no change to point of diversion, place of use, or total irrigated acres.
- Applications pending (3), AgriNorthwest, surface water right certificates/permits (Columbia River) CS4-01335(B)C, CS4-16571(A)P, and CS4-16312(A)P, request to change point of diversion, and place of use.

Applications Processed or Pending by Water Board 10/2008-10/2009:

- Four Feathers Fruit Co., (2) groundwater right (superseding permit) G4-23888P and CG3-21764C; requests added point of withdrawal, and change to seasonal irrigation use from February 1, to November 30 (new period of use). Purpose of use to remain as irrigation; no change to total irrigated acres, change to place of use for some acreage. The applicant intent is to continue use of an authorized water right, with no increase in quantity of water use, with no increase to irrigated acres. Request approved by BCWCB March 2009; all affirmed or modified by WADOE.
- AgriNorthwest, surface water right certificates/permits (3) (Columbia River) CS4-01335(B)C, CS4-16571(A)P, and CS4-16312(A)P, request to change point of diversion, and

place of use. Request approved by BCWCB April 2009; all affirmed or modified by WADOE.

- Shaw Vineyards, surface water Claims Nos. 00484/(A)04498 CFO (2) issued per the Yakima Basin Adjudication, request for change to point of diversion, place of use, and added irrigated acres. Request approved by BCWCB April 2009; WADOE over-turned BCWCB decision—decision is currently in PCHB litigation scheduled for January 2010. NOTE: The BCWCB had consulted with Ecology staff prior to issuing the Board decision, and found the Ecology staff in agreement with the BCWCB position; Ecology staff indicated direct support for the BCWCB decision, but notified the BCWCB that staff were to reverse their position with only three days remaining in the WADOE review period.
- Dead Canyon (Mercer) Vineyards, surface water permit CS4-25639(GG)P, request to change place of use, no change to purpose of use, or quantity of use, or point of diversion. Request approved by BCWCB, May 2009; all affirmed or modified by WADOE.
- Wiser Farms, groundwater right (CG4-23101C@2), request for change to place of use, no change to point of withdrawal, purpose of use (school facility added to existing public water supply). Request approved by BCWCB May 2009; all affirmed or modified by WADOE.
- Sandpiper Farms, surface water certificate (Columbia River) CS4-22005C, request for change to place of use, no change to point of diversion, place of use, or total irrigated acres. Request approved by the BCWCB May 2009; all affirmed or modified by WADOE.
- Candy Mt. LLC, groundwater certificate (2) CG4-30508and (@3), request to change to point of withdrawal, no change to purpose of use, place of use, or quantity of use. Request approved by BCWCB September 2008; all affirmed or modified by WADOE.
- Application pending review, Mercer Canyons, surface water permit (Columbia River) C4-25639P, request for change to place of use, no change to point of diversion, or purpose of use.

In addition to the application requests and ROE/RODs indicated above, the BCWCB has discussed draft applications or inquiries for transfers/changes with over 150 (additional) potential applicants. The Board advises potential applicants to proceed with formal application submittal--and the requirements thereof--depending on their circumstances, and whether their request is perceived to be within the bounds of existing state water law.

GENERAL RECOMMENDATIONS/COMMENTS TO THE WADOE AND LEGISLATURE

The Benton County Water Conservancy Board (Water Board) concisely offers the following recommendations/comments--or supports the following actions--concerning direct and indirect activities of the water conservancy boards:

- The Water Board appreciates all efforts made by WADOE staff to work collaboratively with and enhance water conservancy board operations.

- The Water Board supports a legislative changes to the relinquishment statutes, extending the water right relinquishment period—non-use period—from 5-years to 20-years (90.14), with corresponding changes to 90.03.380 as well; or to establish the beneficial use of a water right as the peak-year of use over the historical life of a water right.
- The BCWCB would recommend that current support levels be maintained. Technical support, on issues involving groundwater hydrology, has been usually good.
- When it does occur, the major area of conflict between the BCWCB and WADOE is not technical evaluation, but legal and policy interpretation of the water code. The BCWCB recommends that direct Attorney General Office consultation/discussion should be made available to the Water Boards.

2009 Report to Legislature
Benton County Water Conservancy Board
 October 31, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Benton Co. Water Conservancy Board	Date board approved	07/10/98
Board address/ phone/email	Benton Co. Water Conservancy Board 3030 W. Clearwater, Suite 205-A Kennewick, WA 99336 (509) 783-1623 and/or dolsenecon@aol.com		
<i>Board members</i>	Darryll Olsen, Ph.D. Chair Matt Berg, Member, Treasurer John Jaksch, Ph.D. Member , Member , Member , Alternate	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Term Expiration Date</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">05/31/10</div> <div style="width: 40%;">05/31/10</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">05/31/10</div> <div style="width: 40%;">N/A</div> </div>	
Primary board contact	Dr. Darryll Olsen, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	As Needed.		
Regular meeting location	Kennewick, WA		
Current fee for processing	\$250	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	Challenge to the BCWCB Shaw Vineyards decision by WADOE (Change/Transfer under the Acqvella Proceeding; and now at PCHB (BCWCB requested by plaintiff to serve as expert witness in challenge—January 2010 PCHB Hearing).		
Property owned by WCB	None.		
Number staff/ volunteer assistance	Several attorneys paid/donated time.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> Yes. Public notice as requested. <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Annual WADOE Training Sessions	2005-09	WADOE
	Litigation and Preparation of Legal Opinions/and-or Court Participation	2003-09	BCWCB
Forms attached <input type="checkbox"/>			
Additional comments: See above memorandum.			

Application Information		
Filed with and conveyed from Ecology		0.
Filed originally with WCB		All
Total new applications filed and accepted 11/01/07 to 10/31/08		3 accepted
Withdrawn by applicant from board		None.
Board declined to process		0
Applications for:	groundwater transfers	1
	Surface water transfers	2
	surface to ground water or ground to surface water	0
Proposing transfer related to:		Permits: 2 Certificates: 1
water right claims		0
court claims or other documents		0
trust water		0
Hearings in other counties ¹		1 hearing Kittitas County; 2 hearings in Benton County
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
31		
36		
37		
Records of Decisions by WCB		
Approved	12	
Partially approved	0	
Denied	1 In litigation with Ecology; PCHB Hearing set for January 2010 (Shaw Vineyards)	
Total Decisions		12 Decisions
Withdrawn from Ecology	0 with re-submittal and approval	
Remanded back to board	0	

Benton County Water Conservancy Board Annual Report: October 2009-October 2010

Transmittal: E-Mail/Hard Copy

DATE: October 31, 2010

**TO: Ms. Janet Rajala, WADOE, Spokane Office
Board of Benton County Commissioners
Legislative Representatives**

**FROM: Darryll Olsen, Ph.D.
Chairman, Benton County Water Conservancy Board
509-783-1623, FAX 509-735-3140**

SUBJECT: Annual Report For Benton County Water Conservancy Board (Water Board)

The following information provides a status report on the activities of the Benton County Water Conservancy Board (Water Board) for operations commencing in the fall of 1998 through October 2010. This information is provided to the WADOE to meet its reporting requirements to the Washington State legislature and to inform the Benton County Commissioners.

BACKGROUND AND OPERATIONS

The Benton County Water Conservancy Board (Water Board):

The Water Board membership is as follows:

- Darryll Olsen, Ph.D., Regional Planner/Resource Economist, The Pacific Northwest Project, Kennewick, WA (Chairman); land owner served by irrigation district water rights.
- John Jaksch, Ph.D., Resource Economist, Pacific Northwest Laboratory, Richland, WA (Vice-Chairman); land owner served by irrigation district water rights.
- Matt Berg, B.A., Agricultural Economics, Berg Farms, Prosser, WA (Treasurer); land owner and holder of water rights.

**3030 W. Clearwater, Ste. 205-A, Kennewick, Washington, 99336
509-783-1623, FAX 509-735-3140**

Water Board Training and Related Activities:

The Water Board members have participated regularly in or received:

- Training workshops held by the WADOE (1998 and 1999), whenever invitations are extended to water conservancy board members (Olsen, Jaksch, Berg).
- Training workshop held jointly by WADOE and BCWCB (fall 1999) (Olsen, Jaksch, Berg).
- All Boards Workshop and Training (2000 and 2002) (Olsen, Jaksch, and Berg).
- Participation in drafting 2000 and 2001 legislative changes for water conservancy boards, including legislative hearing testimony (Olsen, Berg, Jaksch); participation in rule-making review, 2002 (Olsen).
- Water Law and Policy Seminars, 1999-2001 (for example, CLE and AWWA seminars) (Olsen).
- Review of all WADOE updates and court cases distributed to the Water Boards by WADOE and on the WADOE website (Olsen, Berg, Jaksch).
- Participation in professional and business associations that are active in state and federal water management policy (Olsen, Berg).
- Direct participation with legislators in drafting 2003 legislative changes to RCW 90.03.380 affecting changes/transfers and water right relinquishment under the “beneficial-use” test.
- Participation in 2003 lawsuits affecting Water Board decisions for water right changes, Desert Hills and West Richland vs WADOE (Olsen, Berg, Jaksch).
- Prepared and distributed legal opinions on WADOE proposed policy for implemented RCW 90.03.380, 2003.
- Scheduled/participated in WADOE annual workshop training in 2003 (Olsen, Berg, Jaksch).
- Participated in training workshops offered in 2004-6 (Olsen, Berg, Jaksch).
- Attended scheduled training workshop in Tri-Cities, WA, January 2007 (Olsen, Jaksch, Berg), with Berg receiving additional training during the year.
- Attended scheduled training workshop in Yakima, WA, January 2008-09 (Olsen, Jaksch, Berg).
- Attended scheduled training workshop in Richland, WA, January 2010 (Olsen, Jaksch, Berg).

Water Board Fees/Funding:

The Water Board reviews potential applications for transfers/changes and formally accepts appropriate applications (applications that meet the minimum standards for review) for review and processing. When accepted for review, the Water Board charges a fee of \$250 per application. The fee is used principally to cover public notice/application distribution costs, costs of newspaper publication are billed separately. The Water Board has met the information requests from all third parties consistent with existing state agency standards.

Consistent with RCW 90.80.060 and review by the Water Board’s legal counsel, the Water Board may accept financial grants or donated services from public entities, academic institutions and foundations, private organizations, or private corporations or individuals. Any funding received via grants and donations must be used for Water Board activities that support broad public needs or issues affecting the universal application of the state water code, relative to Water Board purposes.

The Water Board has received small financial grants from the Benton County Commission (\$1,000, \$5,000, and \$7,000), from the Benton Rural Electric Association (\$1,500), and from the State Dept. of

Natural resources (\$5,000). The grants were provided to support initial start-up activities, to support technical analyses related to water use, and to support Water Board participation in and review of state legal issues affecting Water Board operations (legal opinions and some related briefs).

The Water Board has received donations of legal services and legal support from Benton REA, the City of West Richland, the Columbia-Snake River Irrigators Association, and individual water right holders; and some attorneys working with the Water Board have donated time. Also, the Water Board has received legal review interpretations of the water code from state agencies, including the Attorney General's Office. The Water Board only engages in litigation activities that are relevant to issues of broad public application of the water code by the Water Board.

In 2008, the Water Board prepared an audit of a water right for Energy Services and received a fee of \$2,000.

Water Board Staff:

The Water Board has retained a public information officer to be the contact point for third-party inquiries and to distribute to third-parties copies of requested materials. No recent inquiries have been made, in 2005-09.

The Water Board has received the services of several local attorneys (paid and donated time) for issues related to state-wide water policy issues. The Water Board does require applicants to fund needed legal services affecting their water right change/transfer. And some legal services for the Water Board have been paid by third parties, as noted above.

The Benton County Commission has made available a public record site for public access to applications under review, RODs, and meeting minutes.

Water Board Water Marketing Activities:

The Water Board has published locally—usually several times annually—a general "Markets for Water" notification, for those parties interested in buying or selling water rights. The Water Board attempts to facilitate such transactions whenever possible. The Water Board has received several inquiries about water available for transfer and referred such inquiries to appropriate parties.

The Water Board has reviewed several applications involving water market transfers/changes.

Water Board Review Standards for Transfers/Changes Applications:

The Water Board performs an extensive level of review, including: verifying the existing water right, determining the extent of beneficial use, review of potential impairments and consistency with public interest under the law, and providing operational conditions to ensure that use is consistent with existing laws for water well construction, metering of water use, as well as other water use requirements.

Public Access/Comments to Water Board Review of Applications:

The opportunity for public access to or comments on water right transfers/changes reviewed before the Water Board is substantial; and the Water Board review process actually expands opportunities for public comment beyond the protocol conducted solely by the WADOE.

The Water Board provides for public notice of transfer/change applications formally received, they distribute copies of applications to parties requesting notice of all application reviews (including several state agencies and tribes), and they receive formal comments submitted to them by any party. All comments, if any are received, become part of the formal record of decision (ROD).

BCWCB Meeting Agendas and Minutes:

The agendas for the BCWCB meetings are fixed, with the same topics covered each meeting. Agendas are distributed at each meeting for all meeting participants. The agendas include:

- Meeting call to order and approval of previous meeting minutes.
- Financial report from the treasurer.
- Application update and review (receipt of new applications, review of draft RODs, approval of requests and RODS).
- Litigation (if any) and Special Topics.
- Future meeting schedules.
- Public comment/Hearings.
- Meeting adjournment.

All BCWCB meetings, and general workshops, are open to the public with meeting dates published in the local paper, and third parties are notified upon request. Meeting minutes are available to any party upon request and are filed at the County's public file site. Meeting minutes are not recorded for informal work meetings, where no decisions are made (such meetings usually deal with very specific technical issues, where such information is eventually included within the Report of Examination/Record of Decision which is open for public review and comment).

Water Board Public Hearings, Litigation Actions, and Legislation:

Some of the applications reviewed and record of decisions (RODs) prepared by the Water Board have required public hearings, consistent with RCW 90.80 and agency rules. Any written comments received from any party concerning a specific application have been noted within the ROD. The Water Board conducts a public hearing on a transfers/changes application, where it involves an inter-county transfer/change. Hearings have been in Kennewick and Ellensburg, WA, in 2007-08; and 2009.

The Water Board has directly participated in the past litigation surrounding general water conservancy board authority and implementation of the water code, as an amicus, an intervener, and a plaintiff. Water Board litigation activities are limited to issues that support broad public needs, or issues affecting the universal application of the state water code, relative to Water Board purposes. The litigation involves the direct interpretation of the water code relative to water rights.

The Water Board has participated within two stipulated settlement agreements between WADOE and applicants (Benton County and Desert Hills). The Water Board engaged in litigation (2003-4) with WADOE concerning a West Richland change/transfer, where the Water Board's decision was upheld in Superior Court; and the Water Board engaged in litigation against WADOE in 2004 regarding the use of

agency policy as an illegal “rule” concerning the quantification of water rights. The Water Board reached a legal settlement agreement with WADOE concerning the implementation of RCW 90.03.380, the extent and validity of a water right for change/transfer (October 2004).

The Water Board participated in the 2001 legislative actions involving the authority of Water Conservancy Boards, and reviews new water law proposal and bills. The Water Board monitors new legislative proposals affecting the implementation of state water law.

The Water Board participated in review/revising the existing WACs in 2006, at the annual training meeting.

STATUS OF APPLICATION REVIEWS AND ROE/RODS

Status of Water Right Transfers/Changes Under BCWCB Review:

The BCWCB has reviewed numerous applications for water right transfers/changes, affecting water right claims, permits, and certificates; the nature and status of which are summarized below and in the attached WADOE Form.

Record of Decisions Approved by Water Board Prior to 11/2001:

- Kennewick Hospital District and Boudier Orchards, groundwater transfer/change request for place of use, inchoate groundwater permit change request, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Benton County and Barker Ranches, surface water (Yakima River) claim transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCD; request denied by WADOE but with stipulated settlement agreement upholding the Record of Decision issue by BCWCB (claim).
- Soaring Eagle Ranches No.1, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Soaring Eagle Ranches No.2, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.

- Shore Properties-Washington Fruit and Cold Storage, surface water (Columbia River) transfer/change request for change in point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB, decision modified by WADOE with WADOE re-issuing second modification order due to technical error by WADOE in original modification order; WADOE and BCWCB concur on revised modification order (certificate).
- City of West Richland (Michels water right), groundwater transfer/change request for place of use, point of diversion, seasonal change, and purpose of use, request approved by the BCWCB and denied by WADOE; applicant has appealed to PCHB and requested settlement agreement with WADOE, but WADOE is now denying permit extension with water right holder challenging WADOE denial of extensions (permit), currently in PCHB review.
- Berg Farms, surface water transfer/change request for added point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, and place of use; request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.
- City of West Richland, groundwater transfer/change request for point of diversion; request approved by BCWCB (Certificate); affirmed or affirmed with modifications by WADOE.
- City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (irrigation sector); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (domestic use); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.
- Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for added point of diversion, change to place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.

- Belzer and Manuel, groundwater transfer/change request for place of use for inchoate water, for a lot within a private development; request approved by BCWCB (permit), affirmed by WADOE.

Applications Received/Processed/Pending Review by Water Board 11/2001-10/2002:

- City of West Richland, groundwater change/transfer request for change to purpose and place of use; request approved by BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Plymouth Energy, LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Plymouth Farms, purpose and place of use LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.
- Battelle Memorial Institute, PNNL, surface water from the Columbia River change/transfer request for change to purpose of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.
- Battelle Memorial Institute, PNNL, groundwater change/transfer request for change to place/time of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.
- Badger Canyon Ranch, Wiser, groundwater change/transfer request for change to purpose and place of use; request approved by the BCWCB (certificate), affirmed or modified and affirmed by the WADOE.

Applications Processed or Received Pending Review by Water Board 10/2002-10/2003:

- Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (permit); approval accepted by WADOE after litigation stipulated settlement agreement.
- Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (certificate); approval accepted by WADOE after litigation stipulated settlement agreement.
- C&M Orchards, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.

- Mt. Adams Vista Water System, groundwater change/transfer request for change of purpose and place of use; request investigated by the BCWCB and determination made that water use could be best accomplished under the domestic water use exemption (permit); BCWCB notified WADOE that applicant would be servicing two lots via groundwater use exemption for permit; file closed for further action by the BCWCB.
- WA State Dept. of Natural Resources, groundwater transfer/change request for point of diversion and place of use, draft ROD prepared by BCWCB (permit); request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, surface water (Columbia River) change/transfer request for change to point of diversion; request will be approved by BCWCB having received final review by WADOE of permit extension (extension approved in 2003); active status, pending as of 10/2003.
- Stimson-Lane, LTD, surface water (Columbia River) change/transfer request for change to place of use; applicant requested application withdrawal during BCWCB review; BCWCB withdrawal of application from review.
- Haag-Williams, groundwater change/transfer request for change to purpose and place of use (certificate); received 10/2002; BCWCB determined that applicant's request could be serviced via existing exempt well; BCWCB notified WADOE that applicant would be servicing six lots via groundwater use exemption for permit; file closed for further action by the BCWCB.
- Monson Ranches, groundwater change/transfer request for change to place of use; applicant requested withdrawal of application after litigation settlement agreement with DNR (permit).
- Maryhill Museum, groundwater (surface water continuity with Columbia River) transfer/change request for point of diversion, place of use, seasonal change, and purpose of use; draft ROD in preparation by the Board (permit), WADOE has made determination that the specific hydrology features likely represent same body of water for management purposes; applicant has requested hold on action pending water right sales agreement (permit); active status, pending 10/2003.
- Cone/Underwood, groundwater change/transfer request for change in place of use; received 2003; applicant has requested hold on action pending additional legal review.

Applications Processed or Received Pending Review by Water Board 10/2003-10/2004:

- Plymouth Farms, LLC, groundwater change/transfer request for additional points of withdrawal and extended period of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- Lawrence Pearson, groundwater change/transfer request for point of diversion and place of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.

- Hedges and Lawrence Pearson, groundwater change/transfer request for point of diversion (permit); received 2004; final ROE/ROD prepared by BCWCB June 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use; received 2003; ROD/ROE prepared by BCWCB March 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use (permit); received 2003; ROD/ROE prepared by BCWCB September 2004; request approved by the BCWCB (permit), pending WADOE Review.
- Olsen Bros. Farms, groundwater change/transfer request for point of diversion and place of use (permit); received 2003; ROD/ROE prepared by BCWCB October 2004; request approved by the BCWCB (permit), pending WADOE Review.
- WA State Dept. of Natural Resources, groundwater change/transfer request for point of withdrawal (permit); received 2004; pending review by BCWCB.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit); received 2004; pending review by BCWCB.

Applications Processed or Received by Water Board 10/2004-10/2005:

- Bitton Farms, groundwater change/transfer request for change to point of withdrawal and place of use; request approved by the BCWCB July 2005 (permit), affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit G4-25953(A)P); request approved by the BCWCB April 2005, affirmed or modified by the WADOE.
- Richard Gurske, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB March 2005 (permit), affirmed or modified by the WADOE.
- SDH Trust, groundwater change/transfer request for change to point of withdrawal and place of use; request approved by the BCWCB January 2005 (permit), affirmed or modified by the WADOE.
- Kendall Wahlquist, Surface Water Yakima River, change/transfer request for point of withdrawal change; request approved by the BCWCB May 2005 (water right claim CS4-00151CTCL@1), affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use (permit G4-28833P); ROD/ROE prepared by BCWCB September 2003/2004, and subject of litigation review; request approved by the BCWCB October 2005, pending WADOE review.

- Watts Bros., surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request approved by the BCWCB October 2005, pending WADOE review.
- Mercer Ranches, surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request received by the BCWCB December 2001.
- City of Richland, groundwater right, certificate (CG4-28515C), change/transfer request for change in place of use, received by the BCWCB January 2005.
- City of Richland, surface water right, Columbia River, certificate (S4-12666C), change/transfer request for change to point of withdrawal, received by the BCWCB April 2005.
- Ste. Michelle Wine Estates, LCC., surface water right, Yakima River, change to point of withdrawal, place of use, and purpose of use, received by the BCWCB October 2005. Note: application requested to be withdrawn before legal notice publication/formal acceptance.

Applications Processed or Received by Water Board 10/2005-10/2006:

- City of Richland, groundwater right, certificate (CG4-28515C), change/transfer request for change in place of use, request approved by the BCWCB April 2006; affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal change, CG4-23969C@2; request approved by the BCWCB April 2006; affirmed or modified by the WADOE.
- WA State Dept. of Natural Resources, groundwater change/transfer request for place of use change, CG4-30827P; request approved by the BCWCB April 2006; affirmed or modified by the WADOE.
- Mercer Ranches/Bolthouse Farms, surface water right, Columbia River, change/transfer request for place of use, purpose of use, and time of use; request approved by the BCWCB February and May 2006 (ROE/ROD withdrawal once for additional SEPA checklist review); affirmed or modified by the WADOE.
- Wiser Farms, groundwater right, certificate (CG\$-23101C@1), change/transfer request for change in place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG3-21610C, change/transfer request to place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG4-GWC5494-A, change/transfer request to place of use; request approved by the BCWCB October 2006.
- Ste. Michelle Wine Estates, LCC., groundwater right, certificate (CG4-GWC-5458-A, change/transfer request to place of use; request approved by the BCWCB October 2006.

Applications Processed or Pending by Water Board 10/2006-10/2007:

- City of Richland, surface water right certificate (CG4-SWC9005), change/transfer request for change in point of withdrawal, request approved by the BCWCB May 2007; affirmed or modified by the WADOE; affirmed or modified by the WADOE.
- AgriNorthwest-AgReserves, Inc., surface water permit (CS4-13134P@2), change/transfer request for change to purpose of use and time of use, request approved by the BCWCB August 2007; affirmed or modified by the WADOE.
- DNR groundwater right permit (CG4-28833P@3), change/transfer request for place of use, request approved by the BCWCB September 2007; affirmed or modified by the WADOE.
- FSNTN LCC, groundwater permit (CG4-26953(D)P), change/transfer request for change to place of use and added point of diversion, request approved by the BCWCB October 2007.
- FSNTN LCC, groundwater permit (CG4-26953(B)@1P), change/transfer request for change to place of use and added point of diversion, request approved by the BCWCB October 2007.
- Wallula Vineyards, surface water certificate (CS4-SWC9974(A)), change/ transfer request for change to place of use, point of diversion, and time of use, request approved by the BCWCB October 2007.
- Wallula Vineyards, surface water certificate (CS4-01228C(A), change/ transfer request for change to place of use, point of diversion, and time of use, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-24124C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-24174C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater permit (CG4-24640(B)P), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG3-00349C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-23893C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.

- City of West Richland, groundwater permit (CG4-26491P), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-26280C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-25902C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG-4768-A), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG-3082-A), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- City of West Richland, groundwater certificate (CG4-26268C), change/transfer request for change to place of use and purpose of use, with combined/added points of withdrawal, request approved by the BCWCB October 2007.
- Red Mt. Water LLC, surface water right certificate (CS4-00788CTCLsB24@2-11-08-1870), change/transfer request for change to place of use and point of withdrawal, request approved by the BCWCB October 2007.
- Red Mt. Water LLC, surface water right certificate (CS4-00788CTCLsB24@3-06-05-1873), change/transfer request for change to place of use and point of withdrawal, request approved by the BCWCB October 2007.

Applications Processed or Pending by Water Board 10/2007-10/2008:

- NOTE: West Richland water right changes/transfers noted above (11) for 2007 were withdrawn per Ecology additional request for third impairment analysis and re-submitted for action, request approved by BCWCB August 2008; all affirmed or modified by WADOE.
- Ste. Michelle Wine Estates, groundwater right permit CGS-30288P, request to change to place of use; request approved by BCWCB December 2007, affirmed or modified by WADOE.
- Easterday Farms, surface water right certificates (5) being reviewed with amendment to original application Applications relate to Columbia River surface water rights S3-22572C, S3-00286C, S4-23978(A)C, S4-23978(B)C and S4-23874(A)C. The Water Board is reviewing this change/transfer as a consolidation of the water rights to function operationally as a single project. The water right change/transfer will involve: 1) a reduction of allowed water use from the existing certificated rights; 2) a recalibration of the water rights to account

for available water (Annual Consumptive Quantity) for change/transfer under RCW 90.03.380; 3) an increase to allowed irrigated acres with reduced water duty per acre, not to exceed determined ACQ available for change/transfer; and 4) adding points of withdrawal (combining the existing points of withdrawal for all four water rights); and with the intent to standardize the existing irrigation diversion periods to all within the period January 1 to December 31, with a priority date of January 1, 2007 (or the date of the latest priority date among the above water rights); request approved by BCWCB April 2008; all affirmed or modified by WADOE.

- Col Solare, surface water right CFO CS4-00169CTCL@3, revised to @6, from previous change action to Red Mt., request to change place of use with no expansion of irrigated acres; request approved by the BCWCB October 2008, request for affirmed or modified by WADOE pending.
- Applications pending review: Four Feathers Fruit Co., (2) groundwater right (superseding permit) G4-23888P and CG3-21764C; requests added point of withdrawal, and change to seasonal irrigation use from February 1, to November 30 (new period of use). Purpose of use to remain as irrigation; no change to total irrigated acres, change to place of use for some acreage. The applicant intent is to continue use of an authorized water right, with no increase in quantity of water use, with no increase to irrigated acres.
- Application pending review, Candy Mt. LLC, groundwater certificate CG4-30508, request to change to point of withdrawal, no change to purpose of use, place of use, or quantity of use.
- Applications (2) pending review, Shaw Vineyards, surface water Claims Nos. 00484/(A)04498 CFO issued per the Yakima Basin Adjudication, request for change to point of diversion, place of use, and added irrigated acres.
- Application pending review, Sandpiper Farms, surface water certificate (Columbia River) CS4-22005C, request for change to place of use, no change to point of diversion, place of use, or total irrigated acres.
- Applications pending (3), AgriNorthwest, surface water right certificates/permits (Columbia River) CS4-01335(B)C, CS4-16571(A)P, and CS4-16312(A)P, request to change point of diversion, and place of use.

Applications Processed or Pending by Water Board 10/2008-10/2009:

- Four Feathers Fruit Co., (2) groundwater right (superseding permit) G4-23888P and CG3-21764C; requests added point of withdrawal, and change to seasonal irrigation use from February 1, to November 30 (new period of use). Purpose of use to remain as irrigation; no change to total irrigated acres, change to place of use for some acreage. The applicant intent is to continue use of an authorized water right, with no increase in quantity of water use, with no increase to irrigated acres. Request approved by BCWCB March 2009; all affirmed or modified by WADOE.
- AgriNorthwest, surface water right certificates/permits (3) (Columbia River) CS4-01335(B)C, CS4-16571(A)P, and CS4-16312(A)P, request to change point of diversion, and

place of use. Request approved by BCWCB April 2009; all affirmed or modified by WADOE.

- Shaw Vineyards, surface water Claims Nos. 00484/(A)04498 CFO (2) issued per the Yakima Basin Adjudication, request for change to point of diversion, place of use, and added irrigated acres. Request approved by BCWCB April 2009; WADOE over-turned BCWCB decision—decision is currently in PCHB litigation scheduled for January 2010. NOTE: The BCWCB had consulted with Ecology staff prior to issuing the Board decision, and found the Ecology staff in agreement with the BCWCB position; Ecology staff indicated direct support for the BCWCB decision, but notified the BCWCB that staff were to reverse their position with only three days remaining in the WADOE review period.
- Dead Canyon (Mercer) Vineyards, surface water permit CS4-25639(GG)P, request to change place of use, no change to purpose of use, or quantity of use, or point of diversion. Request approved by BCWCB, May 2009; all affirmed or modified by WADOE.
- Wiser Farms, groundwater right (CG4-23101C@2), request for change to place of use, no change to point of withdrawal, purpose of use (school facility added to existing public water supply). Request approved by BCWCB May 2009; all affirmed or modified by WADOE.
- Sandpiper Farms, surface water certificate (Columbia River) CS4-22005C, request for change to place of use, no change to point of diversion, place of use, or total irrigated acres. Request approved by the BCWCB May 2009; all affirmed or modified by WADOE.
- Candy Mt. LLC, groundwater certificate (2) CG4-30508and (@3), request to change to point of withdrawal, no change to purpose of use, place of use, or quantity of use. Request approved by BCWCB September 2008; all affirmed or modified by WADOE.

Applications Processed or Pending by Water Board 10/2008-10/2009:

- Washington Fruit & Produce, surface water rights (2) CG4-26018C@6 and CG4-26464@2, request to add surface water point of diversion per previous changes configurations. Request approved by the BCWCB June 2010; affirmed or modified by WADOE.
- Sunheaven Farms (2) Munn & Munn, surface water rights CS4-16571(I)P and CS4-16571(H)P, request to change points of diversion (eliminate points). Request approved by BCWCB September 2010; affirmed or modified by WADOE.
- AgriNorthwest, surface water right permit (Columbia River) CS4-16571(E)P@1, request to change point of diversion, and place of use. Request approved by BCWCB October 2010; affirmed or modified by WADOE.
- T&R Farms, Sandpiper Tree Farms, surface water CS3-22005C and CS4-30634P, request to change point of diversion and place of use. Request approved by the BCWCB October 2010.
- Application approved (March 2010) and then withdrawn per additional discussion with WADOE staff (insufficient data for ACQ review), Mercer Canyons, surface water permit

(Columbia River) C4-25639P, request for change to place of use, no change to point of diversion, or purpose of use.

- Applications (2) pending review by Candy Mt. LLC, CG4-30508P@1 and CG4-30279P, request for change to place of use only.

In addition to the application requests and ROE/RODs indicated above, the BCWCB has discussed draft applications or inquiries for transfers/changes with over 200 (additional) potential applicants. The Board advises potential applicants to proceed with formal application submittal--and the requirements thereof--depending on their circumstances, and whether their request is perceived to be within the bounds of existing state water law.

RECOMMENDATIONS/COMMENTS **TO THE LEGISLATURE**

The Benton County Water Conservancy Board (Water Board) concisely offers the following recommendations/comments--or supports the following actions--concerning direct and indirect activities of the water conservancy boards:

- The Water Board appreciates all efforts made by the regional WADOE staff to work collaboratively with and enhance water conservancy board operations.
- The Water Board supports a legislative changes to the relinquishment statutes, extending the water right relinquishment period—non-use period—from 5-years to 15-years (90.14), with corresponding changes to 90.03.380 as well; or to establish the beneficial use of a water right as the peak-year of use over the historical life of a water right.
- The BCWCB would recommend that current WADOE technical-field support levels be maintained, but that a legislative/independent review of the Water Resources Program operations overall be conducted.
- When it does occur, the major area of conflict between the BCWCB and WADOE is not technical evaluation, but legal and policy interpretation of the water code. The BCWCB recommends that direct Attorney General Office consultation/discussion should be made available to the Water Boards.

2010 Report to Legislature
Benton County Water Conservancy Board
 October 31, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Benton Co. Water Conservancy Board	Date board approved	07/10/98
Board address/ phone/email	Benton Co. Water Conservancy Board 3030 W. Clearwater, Suite 205-A Kennewick, WA 99336 (509) 783-1623 and/or dolsenecon@aol.com		
<i>Board members</i>	Darryll Olsen, Ph.D. Chair Matt Berg, Member, Treasurer John Jaksch, Ph.D. Member	Term Expiration Date 2012 or thereafter	
Primary board contact	Dr. Darryll Olsen, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Date Set as Needed, about Two Per Month		
Regular meeting location	Kennewick, WA		
Current fee for processing	\$250	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None.		
Property owned by WCB	None.		
Number staff/ volunteer assistance	Some minor attorney review (a few hours of time discussing issues via phone); or applicant's attorney review.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> Yes. Public notice as requested. <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Annual WADOE Training Sessions	2009	WADOE
	Review of Materials Provided by WADOE Staff (During the Year)	2009	WADOE
Forms attached <input type="checkbox"/>			

Additional comments: See above memorandum.		
Application Information		
Filed with and conveyed from Ecology	0.	
Filed originally with WCB	All	
Total new applications filed and accepted 11/01/09 to 10/31/10		8 accepted (some carry-over)
Withdrawn by applicant from board	1 Board decision withdrawal	
Board declined to process	0	
Applications for:	groundwater transfers	2
	Surface water transfers	5
	surface to ground water or ground to surface water	0
Proposing transfer related to:	6 Permits and 2 Certificates (several permits subject to POA review)	
	water right claims	0
	court claims or other documents	0
	trust water	0
Hearings in other counties¹		2 hearings in Benton County
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
31		
36		
37		
Records of Decisions by WCB		
<i>Approved</i>	8	
Partially approved	0	
Denied	0	
Total Decisions		12 Decisions
Withdrawn from Ecology	1 with re-submittal for 2011	
Remanded back to board	0	

November 1, 2008 through October 31, 2009

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	2 per month
	With individual board commissioner	8 per month
Total applications accepted by the board	Conveyed from Ecology	7
	Filed originally with WCB	17
	Total applications accepted 11/01/08 to 10/31/09	24
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	7
	Board declined to process	0
Applications for	Ground water transfers	11
	Surface water transfers	10
	Surface to ground or ground to surface water	3
Proposing transfer related to:	Certificates	20
	Water right claims	4
	Court claims or other documents	0
	Trust water	0
Hearings in other counties¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
40	Alkali-Squilchuck	1
45	Wenatchee	7
46	Entiat	1
47	Lake Chelan	15
Records of Decisions by the Board		
Approved	8	
Denied	0	
Total Decisions	8	
Withdrawn from Ecology	1 (6 of the withdrawals were not ROD's-they were withdrawn prior)	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

November 1, 2009 through October 31, 2010

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Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	2 per month
	With individual board commissioner	8 per month
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	9
	Total applications accepted 11/01/09 to 10/31/10	9
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	5
	Board declined to process	0
Applications for	Ground water transfers	1
	Surface water transfers	6
	Surface to ground or ground to surface water	2
Proposing transfer related to:	Certificates	5
	Water right claims	4
	Court claims or other documents	0
	Trust water	0
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
40	Alkali-Squilchuck	0
45	Wenatchee	0
46	Entiat	6
47	Lake Chelan	2
49		1
Records of Decisions by the Board		
Approved	9	
Denied	0	
Total Decisions	9	
Withdrawn from Ecology	5	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature
uglas Water Conservancy Bo
 November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
Board name	Douglas Co. Water Conservancy Board			Date board established	March 30, 2000
Board address/ phone/email	P.O. Box 608 Waterville, WA 98858 (509) 745-9160 and/or carol.cowling@gmail.com				
Board commissioners	Lee Hemmer, Chair Mike Sachs, Commissioner Kathy Humphrey, Commissioner , Commissioner , Commissioner , Alternate , Alternate			Term Expiration Date	
				06/30/14 06/30/12 06/30/10	
Primary board contact	Carol Cowling, Board Support				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	Don Popoff New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>				
	Kathy Humphrey New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	455 Road 20 NW Waterview, WA 98858		509/ 683-1949 email Kitannel@crcwnet.com	
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	2nd Monday of each month, 4 P.M.				
Regular meeting location	Waterville City Hall, 104 E Locust, Waterville, WA 98858				
Current fee for processing	\$600.00 plus public meeting notice; additional fees may be charges			Has this changed from last year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in					
Property owned by WCB					
Number & type staff/volunteer assistance	Carol D. Cowling CPA				
Training received other than through Ecology					
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	2
Total applications accepted by the board	Conveyed from Ecology	
	Filed originally with WCB	5
	Total applications accepted 11/01/08 to 10/31/09	5
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	1
	Board declined to process	
Applications for	Ground water transfers	1
	Surface water transfers	
	Surface to ground or ground to surface water	4
Proposing transfer related to:	Certificates	5
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
44	Moses Coulee	5
Records of Decisions by the Board		
Approved	2	
Denied		
Total Decisions	2	
Withdrawn from Ecology		
Remand/returned without action back to board		
Appealed to PCHB	1	

2010 Report to Legislature
Douglas Water Conservancy Board
 November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Douglas Co. Water Conservancy Board	Date board established	March 30, 2000
Board address/ phone/email	P.O. Box 608 Waterville, WA 98858 (509) 745-9160 and/or carol.cowling@gmail.com		
<i>Board commissioners</i>	Lee Hemmer, Commissioner Don Popoff, Commissioner Kathy Humphrey, Commissioner , Commissioner , Commissioner , Alternate , Alternate	Term Expiration Date 06/30/14 06/30/12 06/30/16	
Primary board contact	Carol Cowling, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Don Popoff New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	300 Simon Street, East Wenatchee, WA 98802	509-886-2900
	Mike Sachs New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2nd Monday of each month, 4 P.M.		
Regular meeting location	Waterville City Hall, 104 E Locust, Waterville, WA 98858		
Current fee for processing	\$600.00 plus public meeting notice; additional fees may be charges	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	Carol D. Cowling CPA		
Training received other than through Ecology			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	3
	With individual board commissioner	
Total applications accepted by the board	Conveyed from Ecology	
	Filed originally with WCB	6
	Total applications accepted 11/01/09 to 10/31/10	6
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	4
	Board declined to process	
Applications for	Ground water transfers	5
	Surface water transfers	
	Surface to ground or ground to surface water	1
Proposing transfer related to:	Certificates	6
	Water right claims	
	Court claims or other documents	
	Trust water	2
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
44	Moses Coulee	6
Records of Decisions by the Board		
Approved	5	
Denied		
Total Decisions	5	
Withdrawn from Ecology	3	
Remand/returned without action back to board		
Appealed to PCHB	1	

2009 Report to Legislature
Ferry Water Conservancy Board
 November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Ferry County Water Conservancy Board	Date board established	May 19, 2000
Board address/ phone/email	639 Kettle River Road Curlew, WA 99118 (509) 779-4434 and/or usnwe@televar.com		
<i>Board commissioners</i>	Patrick D. Hamilton, Chair Jim Nash, Commissioner Eric Bracken, Commissioner , Commissioner , Commissioner , Alternate , Alternate	Term Expiration Date 03/30/12 03/30/10 03/31/14	
Primary board contact	Patrick D. Hamilton, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Term Ended <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2nd Tuesday of each quarter @ 5 p.m.		
Regular meeting location	Ferry Conservation District Meeting Room, 84 E Delaware, Republic, WA 99116		
Current fee for processing	\$200.00 non refundable application fee; additional \$300.00 plus public notice costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	Volunteer Clerk (Nancy Hamilton)		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	6
Total applications accepted by the board	Conveyed from Ecology	none
	Filed originally with WCB	none
	Total applications accepted 11/01/08 to 10/31/09	none
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	none
	Board declined to process	none
Applications for	Ground water transfers	none
	Surface water transfers	none
	Surface to ground or ground to surface water	none
Proposing transfer related to:	Certificates	none
	Water right claims	none
	Court claims or other documents	none
	Trust water	none
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
52	Sanpoil	0
58	Middle Lake Roosevelt	0
60	Kettle Disbanded	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature
Ferry Water Conservancy Board
November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Ferry County Water Conservancy Board	Date board established	May 19, 2000
Board address/ phone/email			
<i>Board commissioners</i>	, Commissioner Jim Nash, Commissioner Brad Miller, Commissioner , Commissioner , Commissioner , Alternate , Alternate	Term Expiration Date 03/30/12 03/30/10 03/31/14	
Primary board contact			
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Pat Hamilton New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Eric Bracken New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2nd Tuesday of each quarter @ 5 p.m.		
Regular meeting location	Ferry Conservation District Meeting Room, 84 E Delaware, Republic, WA 99116		
Current fee for processing	\$200.00 non refundable application fee; additional \$300.00 plus public notice costs	Has this changed from last year? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	None		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: The board lost its chair and the county is still looking to replace the third position.			

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	0
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/09 to 10/31/10	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
52	Sanpoil	0
58	Middle Lake Roosevelt	0
60	Kettle Disbanded	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature
Franklin County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Franklin County Water Conservancy Board	Date board established	June 9, 1999
Board address/ phone/email	1620 Road 44 N. Pasco, WA 99301 (509) 545-8546 ext. 3 (Mark Nielson) or (509) 547-9751 (Henry Johnson) and/or henrycja@aol.com		
<i>Board commissioners</i>	Henry Johnson, Chair Larry Rogers, Commissioner John Griffin, Commissioner , Commissioner , Commissioner Lynn Hall, Alternate , Alternate	Term Expiration Date	
		08/01/11 08/01/09 08/01/13 09/21/14	
Primary board contact	Henry Johnson, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Thursday of each month 4 p.m.		
Regular meeting location	USDA-Ag. Service Center, 1620 Road 44, Pasco, WA 99301		
Current fee for processing	\$650.00 per application	Has this changed from last year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	Mark Nielson of the Franklin Conservation District provides staff support to the Board.		
Training received other than through Ecology	NA		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	3
	With individual board commissioner	6
Total applications accepted by the board	Conveyed from Ecology	2
	Filed originally with WCB	2
	Total applications accepted 11/01/08 to 10/31/09	4
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	2
Applications for	Ground water transfers	3
	Surface water transfers	1
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	4
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
36	Esquatzel	2
33	Lower Snake	2
Records of Decisions by the Board		
Approved	3	
Denied	0	
Total Decisions	3	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature
Franklin County Water Conservancy Board
 November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Franklin County Water Conservancy Board	Date board established	June 9, 1999
Board address/ phone/email	1533 E. Spokane St., Suite C Pasco, WA 99301 (509) 545-8546 ext. 4 (Mark Nielson) or (509) 539-6662 (John Griffin) and/or johng@ci.kennewick.wa.us		
<i>Board commissioners</i>	Henry Johnson, Commissioner Larry Rogers, Commissioner John Griffin, Commissioner , Commissioner , Commissioner Lynn Hall, Alternate , Alternate	Term Expiration Date	
		08/01/11 08/01/15 08/01/13 09/21/14	
Primary board contact	Henry Johnson, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Thursday of each month 4 p.m.		
Regular meeting location	USDA-Ag. Service Center, 1533 E. Spokane St., Suite C, Pasco, WA 99301		
Current fee for processing	\$650.00 per application	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	Mark Nielson with the Franklin Conservation District provides administrative and technical assistance to the Board.		
Training received other than through Ecology			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	12
	With individual board commissioner	9
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	12
	Total applications accepted 11/01/09 to 10/31/10	12
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	11
	Surface water transfers	1
	Surface to ground or ground to surface water	10
Proposing transfer related to:	Certificates	12
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties		2
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
36	Esquatzel	7
33	Lower Snake	5
Records of Decisions by the Board		
Approved	8	
Denied	0	
Total Decisions	8	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature

November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Grant County Water Conservancy Board		Date board established September 14, 1999
Board address/ phone/email	3953 Airway Drive N.E. Moses Lake, Washington 98837 (509) 765-8864/(509), 766-7277 cell, (509) 750-750-7589 cell and/or rolfb@accima.com		
<i>Board commissioners</i>	Robert S Rolfness, Chair Keith Ellis, Commissioner W. Ron Baker, Commissioner , Commissioner , Commissioner David Stevens, Alternate , Alternate		Term Expiration Date
			09/02/11 09/02/13 09/02/15 01/16/13
Primary board contact	Robert S Rolfness, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Formal Public Mtg. – 4th Thursday each month, 10 a.m.; work sessions most Thursdays at 9 a.m.		
Regular meeting location	Grant County Fair Grounds, 3953 Airway Drive NE., Moses Lake		
Current fee for processing	\$500, incl. \$100 filing fee, \$400 processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	Computer System, office furniture		
Number & type staff/volunteer assistance	One - Part time office assistant		
Training received other than through Ecology			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	12
	With individual board commissioner	22
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	8
	Total applications accepted 11/01/08 to 10/31/09	
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	1
	Board declined to process	1
Applications for	Ground water transfers	8
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	6
	Water right claims	1
	Court claims or other documents	1
	Trust water	0
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
36	Esquatzel Coulee	0
41	Lower Crab Creek	8
42	Grand Coulee	0
43	Upper Crab Creek - Wilson	0
44	Moses Coulee	0
Records of Decisions by the Board		
<i>Approved</i>	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	10
	With individual board commissioner	16
Total applications accepted by the board	Conveyed from Ecology	None
	Filed originally with WCB	Twelve
	Total applications accepted 11/01/09 to 10/31/10	Twelve
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	Four
	Board declined to process	Two
Applications for	Ground water transfers	Twelve
	Surface water transfers	None
	Surface to ground or ground to surface water	None
Proposing transfer related to:	Certificates	Eight
	Water right claims	One
	Court claims or other documents	Three (Permits)
	Trust water	None
Hearings in other counties ¹		None

Applications by Water Resource Inventory Areas (WRIAs)

WRIA Number	WRIA Name	Number Filed
36	Esquatzel Coulee	None
41	Lower Crab Creek	Twelve
42	Grand Coulee	None
43	Upper Crab Creek - Wilson	None
44	Moses Coulee	None

Records of Decisions by the Board

Approved	Eight
Denied	One
Total Decisions	Nine
Withdrawn from Ecology	None
Remand/returned without action back to board	None
Appealed to PCHB	One, DOE reversed its Denied ROE decision before the PCHB hearing

November 1, 2008 through October 31, 2009

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	Zero
	With individual board commissioner	Zero
Total applications accepted by the board	Conveyed from Ecology	Zero
	Filed originally with WCB	Zero
	Total applications accepted 11/01/08 to 10/31/09	Zero
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	Zero
	Board declined to process	Zero
Applications for	Ground water transfers	Zero
	Surface water transfers	Zero
	Surface to ground or ground to surface water	Zero
Proposing transfer related to:	Certificates	Zero
	Water right claims	Zero
	Court claims or other documents	Zero
	Trust water	Zero
Hearings in other counties ¹		Zero
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 6	Island	Zero
Records of Decisions by the Board		
Approved	Zero	
Denied	Zero	
Total Decisions	Zero	
Withdrawn from Ecology	Zero	
Remand/returned without action back to board	Zero	
Appealed to PCHB	Zero	

November 1, 2009 through October 31, 2010

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	0
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/09 to 10/31/10	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 6	Island	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature
Kittitas County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Kittitas County Water Conservancy Board	Date board established	October 16, 2000
Board address/ phone/email	PO Box 1790 Ellensburg, Washington 98926 (509) 899-5707 and/or cheryvarnum@yahoo.com		
<i>Board commissioners</i>	Gregg Hall, Chair	Term Expiration Date	
	, Commissioner	04/04/13	
	Pat Deneen, Commissioner	04/04/15	
	, Commissioner	04/04/11	
	, Commissioner		
Vacant, Alternate	12/21/10		
Vacant, Alternate	12/21/10		
Primary board contact	Chery Varnum, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Mary Burke		
	New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
New <input type="checkbox"/> Resigned <input type="checkbox"/>			
Water Conservancy Board Operations			
Regular meeting schedule	Third Tuesday of each month at 2:00 p.m.		
Regular meeting location	Kittitas County Court House 205 W 1 st Street, Suite 108 Ellensburg, WA 98926		
Current fee for processing	\$100.00 non-refundable Application submittal fee; \$500.00, Application processing fee plus clerk time @ \$50 per hour	Has this changed from last year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	one part time clerk for the board		
Training received other than through Ecology	none		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor
	n/a		
Additional comments: you may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	4
	With individual board commissioner	6
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	7
	Total applications accepted 11/01/08 to 10/31/09	7
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	2
	Board declined to process	0
Applications for	Ground water transfers	
	Surface water transfers	7
	Surface to ground or ground to surface water	
Proposing transfer related to:	Certificates	
	Water right claims	
	Court claims or other documents	7
	Trust water	
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 39	Upper Yakima	7
Records of Decisions by the Board		
Approved	5	
Denied	0	
Total Decisions	5	
Withdrawn from Ecology	2	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

November 1, 2009 through October 31, 2010

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Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	8
	With individual board commissioner	4
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	7
	Total applications accepted 11/01/09 to 10/31/10	7
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	5
	Board declined to process	0
Applications for	Ground water transfers	1
	Surface water transfers	6
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	7
	Trust water	0
Hearings in other counties ¹		none
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 39	Upper Yakima	8
Records of Decisions by the Board		
Approved	8	
Denied	0	
Total Decisions	(sum of all RODs) 8	
Withdrawn from Ecology	0	
Remand/returned without action back to board	1	
Appealed to PCHB	0	

2009 Report to Legislature
Klickitat County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Klickitat County Water Conservancy Board	Date board established	July 1, 1999
Board address/ phone/email	Klickitat County Planning Dept. 228 West Main St., MC-CH-37 Goldendale, Washington 98620 (509) 773-2481 / davem@co.klickitat.wa.us		
<i>Board commissioners</i>	Don Smith, Commissioner Cal Edwards, Commissioner Scott Andrews, Commissioner Richard Beightol, Commissioner J.P. Enderby, Commissioner Craig Stephens, Alternate Dennis Beeks, Alternate	<div style="border-bottom: 1px solid black; text-align: center;">Term Expiration Date</div> 07/31/13 07/31/12 07/31/14 07/31/11 07/31/10 12/31/12 07/31/14	
Primary board contact	David McClure, Executive Assistant Phone: (509) 773-2481; Email: davem@co.klickitat.wa.us		
Changes in membership	<div style="border-bottom: 1px solid black; text-align: center;">Bd Member Name</div> Craig Stephens New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	<div style="border-bottom: 1px solid black; text-align: center;">Address</div> P.O. Box 9 Dallesport, WA 98617	<div style="border-bottom: 1px solid black; text-align: center;">Phone/Cell/Fax/Email</div> 509/767-2141
	Dennis Beeks New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	P.O. Box 555 Dallesport, WA 98617	509/767-1282
	Scott Andrews New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	1135 Alderdale Road Prosser, WA 99350	509-894-4409
Water Conservancy Board Operations			
Regular meeting schedule	2nd Tuesday of each month, 7:00 P.M.		
Regular meeting location	Klickitat County Courthouse, Room 101		
Current fee for processing	\$500.00	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	Filing cabinet, scanner, and miscellaneous office supplies		
Number & type staff/ volunteer assistance	One Executive Assistant under contract to the Board; Occasional secraterial (i.e., photocopy and mailing preparation) support by Klickitat County staff.		
Training received other than through Ecology	The Seminar Group; Water Rights Transfers; 8 hours.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Water Right Transfers	5/15/09	The Seminar group
Forms attached <input type="checkbox"/>			
Additional comments: See comment attached			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	17
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	5
	Total applications accepted 11/01/08 to 10/31/09	
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	4
	Board declined to process	
Applications for	Ground water transfers	3
	Surface water transfers	2
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	5
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
30	Klickitat	3
31	Rock-Glade	2
29b	White Salmon	0
Records of Decisions by the Board		
Approved	5	
Denied	0	
Total Decisions	5	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

Klickitat County Water Conservancy Board 2009 Legislative Report Comment

Clarification of RCW 90.14.140

Under RCW 90.14.180, five or more consecutive years of non-use triggers water right relinquishment "unless there is sufficient cause to explain non use" (RCW 90.14.140). The Klickitat County Water Conservancy Board believes that RCW 90.14.140(1)(k) needs clarification regarding reduced use of water due to crop rotation when sound farming practices advises the temporary change of crop type.

With today's highly competitive global market for agricultural commodities "sound farming practices" include crop rotations determined by disease control, economic value, supply and demand, and a great many other factors. For example, succulent peas should be produced on the same acreage only once out of six years, but fruit crops might be changed only once in 25 years. Please consider the decline of the apple industry in the Northwest. A large portion of Washington State's apple acreage is being removed for economic reasons. Our farmers need to be able to maintain their water rights as they search for alternate crops. If the apple acreage is put into grapes and ten years later the grape industry fails and the apple industry is going strong, the farmer would not be able recover the lost water rights because his grapes use only a third of the original apple water and the crop has been in grapes for ten years. If the Department of Ecology continues to limit farmers to the amount of water used on a specific crop over a five year period, Washington State's farmers face another financial crisis because they must be able to rotate into valued crops as the consumer demands regardless of the water usage.

We believe RCW 90.14.140 should be clarified to ensure an understanding of "sound farming practices" that includes economic drivers for crop rotations and other considerations that mandate crop rotations that are longer than five years. On this point many people at Ecology interpreted it differently. Most say that the five year rule will always stand which leaves farmers locked into a specific crop rotation even if it is not economically sound. We I do not see how economic failure can be determined as beneficial use of the water.

Department of Ecology Budget

We are concerned that, relative to the last biennium, Ecology's 2009-11 Operating Budget includes reductions of 11.7 FTEs and \$2,880,000 for water right processing. Water right application processing is currently backlogged. Moreover, we believe that in the Central and Eastern regions demand for water right processing will increase over the course of the biennium, assuming the Columbia River Basin Water Supply Development Program is successful in making water available for appropriation.

In addition to negatively impacting the processing of applications for new water rights, the staff and funding reductions will likely have a negative impact on Ecology's capacity to process applications to change/transfer water rights and a negative impact on the level of support that Ecology provides to water conservancy boards. For example, we were recently notified of changes in the staff providing support to the boards. It takes time to build working relationships and frequent staff changes can be disruptive.

We suggest that the Legislature consider ways to ensure that the water right processing program is adequately staffed and has a stable budget.

2010 Report to Legislature
Klickitat County Water Conservancy Board
November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Klickitat County Water Conservancy Board	Date board established	July 1, 1999
Board address/ phone/email	Klickitat County Planning Dept. 228 West Main St., MC-CH-17 Goldendale, Washington 98620 (509) 894-4656 and/or cbeightol@bentonrea.com		
<i>Board commissioners</i>	Craig Stephens, Commissioner Cal Edwards, Commissioner Scott Andrews, Commissioner Richard Beightol, Commissioner J.P. Enderby, Commissioner Don Schaack, Alternate Dennis Beeks, Alternate	Term Expiration Date 07/31/13 07/31/12 07/31/14 07/31/11 07/31/16 12/31/12 07/31/14	
Primary board contact	David McClure, Executive Assistant Phone: (509) 773-2481; Email: davem@co.klickitat.wa.us		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Don Smith New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Craig Stephens New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	P.o. Box 9, Dallesport, WA 98617	(509) 767-2141
	Don Schaack New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	P.O. Box 1969 White Salmon, WA 98672	(509) 493-4594 don-carol@gorge.net
Water Conservancy Board Operations			
Regular meeting schedule	2nd Tuesday of each month, 7 p.m.		
Regular meeting location	Klickitat County Courthouse, Room 101		
Current fee for processing	\$500.00	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	Filing cabinet, scanner, and miscellaneous office supplie		
Number & type staff/ volunteer assistance	One Executive Assistant under contract to the Board; Occasional secraterial (i.e., photocopy and mailing preparation) support by Klickitat County staff		
Training received other than through Ecology	Commissioner Enderby attended presentation and reviewed reports pertaining to hydrogeological assessments in WRIA 30.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>	WRIA 30 Hydrogeology		WRIA 30 Lead Agency
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	3
	With individual board commissioner	31
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	2
	Total applications accepted 11/01/09 to 10/31/10	2
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	1
	Surface water transfers	1
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	2
	Water right claims	0
	Court claims or other documents	0
	Trust water	1
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
30	Klickitat	0
31	Rock-Glade	2
Records of Decisions by the Board		
Approved	1	
Denied	0	
Total Decisions	1	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature

November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
<i>Board name</i>	Lewis County Water Conservancy Board			Date board established	July 10, 1998
Board address/ phone/email	P.O. Box 1345 Chehalis, WA 99532 (360) 740-9868 and/or rmauel@earthlink.net				
<i>Board commissioners</i>	John Moerke , Chair Ron Mauel, Commissioner Bob Thode, Commissioner Chris Cheney, Alternate , Alternate			Term Expiration Date	
				09/30/10 09/30/11 09/30/14 04/15/13	
Primary board contact	Ron Mauel, Commissioner				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	Third Thursday, 7 p.m.				
Regular meeting location	1554 Bishop Road, Chehalis, Washington USDA Public meeting room				
Current fee for processing	\$500.00			Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	0				
Property owned by WCB	0				
Number & type staff/volunteer assistance	Part time minute recorder				
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Training received other than from ecology	Title of Training	Date(s)		Sponsor	
Forms attached <input type="checkbox"/>					
Additional comments: Term expiration dates on this form are wrong, format would not allow changes. RM					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	1
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/08 to 10/31/09	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
23	Upper Chehalis	
26	Cowlitz	
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	(0)	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature

November 1, 2009 through October 31, 2010

Water Conservancy Board Information					
<i>Board name</i>	Lewis County Water Conservancy Board			Date board established	July 10, 1998
Board address/ phone/email	P.O. Box 1345 Chehalis, WA 99532 (360)740-9868 or rmauel@eathlink.net				
<i>Board commissioners</i>	Bob Thode, Commissionerr Ron Mauel, Commissioner John Moerke, Commissioner Chris Cheney, Alternate , Alternate			Term Expiration Date	
				09/30/16 09/30/11 09/30/14 04/15/13	
Primary board contact	Ron Mauel Sec.				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	Third Thursday, 7 p.m.				
Regular meeting location	1554 Bishop Road, Chehalis, Washington USDA Public meeting room				
Current fee for processing	\$500.00	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>			
Litigation WCB has been involved in	0				
Property owned by WCB	0				
Number & type staff/volunteer assistance	1- Part time minutes taker				
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Training received other than from ecology	Title of Training	Date(s)	Sponsor		
Forms attached <input type="checkbox"/>					
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	
Total applications accepted by the board	Conveyed from Ecology	
	Filed originally with WCB	
	Total applications accepted 11/01/09 to 10/31/10	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	2
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
23	Upper Chehalis	
26	Cowlitz	1
Records of Decisions by the Board		
Approved	1	
Denied	0	
Total Decisions	1	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

November 1, 2008 through October 31, 2009

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	2
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	1
	Total applications accepted 11/01/08 to 10/31/09	1
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	1
	Board declined to process	0
Applications for	Ground water transfers	1
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	1
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
34	Palouse	
Records of Decisions by the Board		
Approved	1	
Denied	0	
Total Decisions	1	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

Lincoln Co. 2010 Report Not Received.

2009 Report to Legislature

Mason County Water Conservancy Board

November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
<i>Board name</i>	Mason County Water Conservancy Board			Date board established	May 20, 2008
Board address/ phone/email	411 N. 5 th Street, Shelton, WA 98584 (360) 427-9670, x 207 (Kerry Worf)				
<i>Board commissioners</i>	George S. Sevier, Chair Bob Gantenbein, Commissioner Charles Buschbom, Commissioner , Commissioner , Commissioner Larry Mahoney, Alternate Vacancy, Alternate			Term Expiration Date	
				04/21/14 04/21/12 04/21/10 04/21/14 04/21/14	
Primary board contact	Kerry Worf Emmett Dobey				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	Charles Buschbom New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	221 SE Wildcat Cove Road, Shelton, WA 98584		360-427-3700/415-987-6760	
	Bob Gantenbein New <input checked="" type="checkbox"/> Resigned <input checked="" type="checkbox"/>	2440 SE Cole Road, Shelton, WA 98584		360-427-9273/360-556-6983	
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	3rd Thursday each month at 9:30 a.m.				
Regular meeting location	Commissioner's Conference room, Bldg 1, 411 No 5 th St., Shelton				
Current fee for processing	\$900 per application			Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	NA				
Property owned by WCB	None				
Number & type staff/volunteer assistance	2 - Emmett Dolby, Mason Co. Government Advisor; Kerry Worf, Clerical support and Monty Cobb, Legal Advisor				
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Training received other than from ecology	Title of Training	Date(s)	Sponsor		
	Forms attached <input type="checkbox"/>				
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	3
	With individual board commissioner	2
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/08 to 10/31/09	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
14	Goldsborough/Kennedy Creek Watershed	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature

November 1, 2009 through October 31, 2010

Water Conservancy Board Information					
<i>Board name</i>	Mason County Water Conservancy Board			Date board established	May 20, 2008
Board address/ phone/email	411 N. 5 th Street, Shelton, WA 98584 (360) 427-9670, x 207 (Kerry Worf)				
<i>Board commissioners</i>	George S. Sevier, Commissioner Bob Gantenbein, Commissioner Charles Buschbom, Commissioner , Commissioner , Commissioner Mont Jeffreys, Alternate Vacancy, Alternate			Term Expiration Date	
				04/21/14 04/21/10 04/21/12 04/21/14 04/21/14	
Primary board contact	Kerry Worf Emmett Dobey				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	Larry Mahoney New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>				
	Mont Jeffreys New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	51 E. Sinclair Pl., Shelton, WA 98584		360-427-2329/360/427-5403 timberlakemont@hctc.com	
	 New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	4th Thursday each month at 9:30 a.m.				
Regular meeting location	Commissioner's Conference room, Bldg 1, 411 No 5 th St., Shelton				
Current fee for processing	\$900 per application			Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	NA				
Property owned by WCB	None				
Number & type staff/volunteer assistance	2 - Emmett Dolby, Mason Co. Government Advisor; Kerry Worf, Clerical support and Monty Cobb, Legal Advisor				
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Training received other than from ecology	Title of Training	Date(s)		Sponsor	
Forms attached <input type="checkbox"/>					

Additional comments: It doesn't appear that there will be any water right transfer or other water right business until there is an economic turn around in the area and the construction (housing and/or commercial) business starts up again. This county is a depressed area with a relatively large no-growth (retired) population.

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	0
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/09 to 10/31/10	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
14	Goldsborough/Kennedy Creek Watershed	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Okanogan County Water Conservancy Board	Date board established	May 12, 2000
Board address/ phone/email	Jeremy "Nim" Titcomb 41 B Wandling Road Winthrop, WA 98862 (509) 996-3302 or ntitcomb@methow.com		
<i>Board commissioners</i>	Jeremy Titcomb, Member Mary Anderson, Member Rod Noel, Member Mark Miller, Member Dick Carver, Member , Alternate , Alternate	Term Expiration Date	
		03/31/10 03/31/14 03/31/12 03/31/13 03/31/11	
Primary board contact	Jeremy "Nim" Titcomb, Board Commissioner		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of every month at 2 p.m.		
Regular meeting location	Okanogan County Commissioner's conference room		
Current fee for processing	\$100.00 application fee plus \$500.00 processing	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor
	Water Right Transfers	May 15, 2009	The Seminar Group
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	8
Total applications accepted by the board	Conveyed from Ecology	1
	Filed originally with WCB	3
	Total applications accepted 11/01/08 to 10/31/09	4
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	1
Applications for	Ground water transfers	3
	Surface water transfers	1
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	4
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
48	Methow	3
49	Okanogan	1
Records of Decisions by the Board		
Approved	2	
Denied	0	
Total Decisions	2	
Withdrawn from Ecology	1	
Remand/returned without action back to board	1	
Appealed to PCHB	1	

Okanogan 2010 Report Not Received.

2009 Report to Legislature
Spokane County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Spokane County Water Conservancy Board	Date board established	May 5, 2000
Board address/ phone/email	P.O. Box 13496 Spokane, Washington 99213-3496 (509) 922-5127 and/or djr876@comcast.net		
<i>Board commissioners</i>	Doug Rider, Chair George Schlender, Commissioner Craig Schwyn, Commissioner Stan Schultz, Commissioner David Johnson, Commissioner Vacant, Alternate Vacant, Alternate	Term Expiration Date	
		10/09/12 10/09/13 10/09/10 03/17/13 03/17/11 01/30/12 04/11/11	
Primary board contact	Doug Rider, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	4 th Monday of the month at 4:30 p.m.		
Regular meeting location	Modern Electric Water Co., 904 N. Pines Road, Spokane		
Current fee for processing	\$200.00 application fee; \$500.00 processing fee	Has this changed from last year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in			
Property owned by WCB			
Number & type staff/volunteer assistance			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	
	With individual board commissioner	
Total applications accepted by the board	Conveyed from Ecology	
	Filed originally with WCB	
	Total applications accepted 11/01/08 to 10/31/09	2
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	
	Board declined to process	
Applications for	Ground water transfers	2
	Surface water transfers	
	Surface to ground or ground to surface water	
Proposing transfer related to:	Certificates	2
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
54	Lower Spokane	2
55	Little Spokane	
56	Hangman	
57	Middle Spokane	
Records of Decisions by the Board		
Approved		
Denied		
Total Decisions	0	
Withdrawn from Ecology		
Remand/returned without action back to board		
Appealed to PCHB		

2010 Report to Legislature
Spokane County Water Conservancy Board
November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Spokane County Water Conservancy Board	Date board established	May 5, 2000
Board address/ phone/email	P.O. Box 13496 Spokane, Washington 99213-3496 (509) 922-5127 and/or djr876@comcast.net		
<i>Board commissioners</i>	Doug Rider, Commissioner George Schlender, Commissioner Craig Schwyn, Commissioner Stan Schultz, Commissioner David Johnson, Commissioner Vacant, Alternate Vacant, Alternate	<div style="text-align: right; font-weight: bold;">Term Expiration Date</div> 10/09/12 10/09/13 10/09/10 03/17/13 03/17/11 01/30/12 04/11/11	
Primary board contact	Doug Rider, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	4 th Monday of the month at 4:00 p.m.		
Regular meeting location	Modern Electric Water Co., 904 N. Pines Road, Spokane		
Current fee for processing	\$200.00 application fee; \$500.00 processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in			
Property owned by WCB			
Number & type staff/volunteer assistance			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	
Total applications accepted by the board	Conveyed from Ecology	
	Filed originally with WCB	1
	Total applications accepted 11/01/09 to 10/31/10	
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	
	Board declined to process	
Applications for	Ground water transfers	1
	Surface water transfers	
	Surface to ground or ground to surface water	
Proposing transfer related to:	Certificates	1
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
54	Lower Spokane	
55	Little Spokane	1
56	Hangman	
57	Middle Spokane	
Records of Decisions by the Board		
Approved		
Denied		
Total Decisions	0	
Withdrawn from Ecology		
Remand/returned without action back to board		
Appealed to PCHB		

2009 Report to Legislature
Stevens County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Stevens Co. Water Conservancy Board	Date board established	January 25, 2002
Board address/ phone/email	P.O. Box 731 Kettle Falls, Washington 99141 (509) 258-4041 (Wes McCart) and/or wpmccart@juno.com		
<i>Board commissioners</i>	Wes McCart, Chair Luke McGuire, Commissioner Greg Daniels, Commissioner Jim Gleaton, Commissioner Bill Swartz, Commissioner Gene St. Godard, Alternate Vacant, Alternate	Term Expiration Date 03/30/13 03/30/12 03/30/14 03/30/11 03/30/10 03/24/11 06/10/10	
Primary board contact	Wes McCart, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Gene Cada New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>	2236 Hwy 25 South Kettle Falls, WA 99141	509/738-4681
	Luke McGuire - Alternate New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>	2126 Old Hwy NW Chewelah, WA 99109	509/936-4082
	Luke McGuire New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	2126 Old Hwy NW Chewelah, WA 99109	509/936-4082 Email: info4lwm@gmail.com
Water Conservancy Board Operations			
Regular meeting schedule	3rd Monday of each month, from 6-8 p.m. unless otherwise posted		
Regular meeting location	Stevens County Conservation District, unless otherwise posted		
Current fee for processing	\$1,000.00 base fee, plus costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	One part-time Administrative Assistant, about 100 hours per year.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>	None		

Additional comments: You may attach additional pages if desired

Public Outreach:

The Stevens County Water Conservancy Board made presentations to 87 people at the Stevens County Conservation District Annual Meeting; 25 realtors in southern Stevens County, and a total of 60 members of the public at two WIRA sponsored meetings. In addition, Wes McCart, Chairman, attended and gave monthly reports to the Stevens County Conservation District Board meetings and he attended the Eastern Washington Council of Government's meetings several times during the year. The Chairman met quarterly with the Stevens County Commissioners.

Administration:

The Stevens County Water Conservancy Board filed the 1099-Misc report with the IRS.

Signed a personal services contract for administrative services for 2009. Developed the 2009 budget and a draft 2010 budget.

Developed the 2009 Annual Plan of Work.

Reviewed and approved the Bylaws, Application Check List, Application Process, position descriptions for all Board members, and the Policy, Rules of Practices and procedure documents.

Prepared the 2009 Legislative Report.

Confirmed with Stevens County that SCWCB is protected by county Errors and Omissions coverage.

Held an election of officers.

Training:

Four Board members and two Alternates received training from Ecology in Spokane.

Personal Contacts:

Board members received 35 inquiries regarding water rights.

Financial:

The Annual Audit Assessment for 2008 was submitted to the State Auditor.

Paid audit fees of \$78.50 to the State Auditor for 2008 audit.

Conducted an internal audit of the financial records.

BARS accounting system is utilized.

\$3,000 grant received from Stevens County

Application Information:

At the request of the applicants, two applications - STEV-08-01 and STEV-08-02 - were put on hold.

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	5
	With individual board commissioner	39
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	one
	Total applications accepted 11/01/08 to 10/31/09	one
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	one
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	one
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
59	Colville River Watershed	one
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature
Stevens County Water Conservancy Board
November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Stevens Co. Water Conservancy Board	Date board established	January 25, 2002
Board address/ phone/email	P.O. Box 731 Kettle Falls, Washington 99141 (509) 258-4041 (Wes McCart) and/or wpmccart@juno.com		
<i>Board commissioners</i>	Wes McCart, Commissioner Luke McGuire, Commissioner Greg Daniels, Commissioner Jim Gleaton, Commissioner Tom Sparley, Commissioner Vacant, Alternate Vacant, Alternate	Term Expiration Date 03/30/13 03/30/12 03/30/14 03/30/11 03/30/16 03/24/11 06/10/16	
Primary board contact	Wes McCart, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Gene St. Godard New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Bill Schwartz New <input type="checkbox"/> Term end <input checked="" type="checkbox"/>		
	Tom Sparley New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	6255 Pearson Dr.	Nine Mile Falls, WA 99026
Water Conservancy Board Operations			
Regular meeting schedule	3rd Monday of each month, from 6-8 p.m. unless otherwise posted		
Regular meeting location	Stevens County Conservation District, unless otherwise posted		
Current fee for processing	\$1,000 base fee, plus costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	One, Administrative Assistant		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	None		
Forms attached <input type="checkbox"/>			

Additional comments:

Public Outreach: The Stevens County Water Conservancy Board made a public presentation during the Colville Ag Show, April 28, 2010 with 28 participants. Wes McCart attends the monthly Stevens County Conservation District Board meetings and reports on SCWCB activities. He also attends the Eastern Washington Council of Governments meetings and he meets quarterly with the Stevens County Commissioners.

Administration:

The Stevens County Water Conservancy Board filed the 1099-Misc report with the IRS;
Signed a personal services contract for administrative services for 2010;
Developed the 2010 budget and a draft 2011 budget for presentation to the County Commissioners;
Developed the 2010 Annual Plan of Work;
Reviewed and approved the Bylaws, Application Check List, Application Process, position descriptions for all Board members, and the Policy, Rules of Practice and Procedure documents;
Prepared the 2010 Legislative Report; and
Held an election of officers.

Training:

Board members and one new member of the Board received required training from Ecology.

Personal Contacts:

Board members received 19 individual inquiries regarding water rights.

Financial:

Submitted Annual Financial Report to State Auditor;
Conducted an internal audit of financial records;
Received a \$3,000 grant from Stevens County;
Board Members and Alternates reimbursed for travel to/from official meetings; and
Utilized BARS for all finances

Board Member Update:

One Board member chose not to seek reappointment when his term expired.
One Board member resigned.
The County Commissioners appointed one new Board member

Application Information:

STEV-08-01 declined to process after being on hold for over one year and not responding to a letter
At the request of the applicant, application STEV-08-02 is still on hold.
Applications STEV-10-01, STEV-10-02, STEV-10-03 were transferred to Ecology for processing under the Hillis Rule.
Application STEV-10-04 (Matney) ROE & ROD approved.
Avista Corp submitted an application but withdrew it before SCWCB accepted it

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	1
	With individual board commissioner	20
Total applications accepted by the board	Conveyed from Ecology	1
	Filed originally with WCB	5
	Total applications accepted 11/01/09 to 10/31/10	6
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	1 STEV-08-01
Applications for	Ground water transfers	2
	Surface water transfers	3
	Surface to ground or ground to surface water	1
Proposing transfer related to:	Certificates	5
	Water right claims	1
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
59	Colville River Watershed	5
61		1
Records of Decisions by the Board		
Approved	-1t	
Denied	0	
Total Decisions	one	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

Thurston County Water Conservancy Board

November 1, 2008 through October 31, 2009

Water Conservancy Board Information															
<i>Board name</i>	Thurston County Water Conservancy Board	Date board established	November 17, 1999												
Board address/ phone/email	P.O. Box 1037 Olympia, WA 98507-1037 (253) 606-4919 or mprhubright@comcast.net (Mike Rhubright) and/or (360) 570-4416 or jerry.louthain@hdrinc.com (Jerry Louthain)														
<i>Board commissioners</i>	Mike Rhubright, Chair N. Zena Hartung, Member Jon Hare, Member Tom Myrum, Member Jerry Louthain, Member Mike Schwisow, Alternate Mike McGinnis, Alternate	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Term Expiration Date</th> </tr> </thead> <tbody> <tr><td style="padding: 2px;">12/12/13</td></tr> <tr><td style="padding: 2px;">12/12/11</td></tr> <tr><td style="padding: 2px;">08/17/11</td></tr> <tr><td style="padding: 2px;">08/17/13</td></tr> <tr><td style="padding: 2px;">12/12/09</td></tr> <tr><td style="padding: 2px;">09/30/10</td></tr> <tr><td style="padding: 2px;">12/12/11</td></tr> </tbody> </table>		Term Expiration Date	12/12/13	12/12/11	08/17/11	08/17/13	12/12/09	09/30/10	12/12/11				
Term Expiration Date															
12/12/13															
12/12/11															
08/17/11															
08/17/13															
12/12/09															
09/30/10															
12/12/11															
Primary board contact	Mike Rhubright, Chair Jerry Louthain, Member														
Changes in membership	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Bd Member Name</th> <th style="text-align: left; padding: 2px;">Address</th> <th style="text-align: left; padding: 2px;">Phone/Cell/Fax/Email</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">N. Zena Hartung New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/></td> <td style="padding: 2px;">3240 Centerwood Ct. S.E. Olympia, WA 98501</td> <td style="padding: 2px;">360-350-0482</td> </tr> <tr> <td style="padding: 2px;">Mike McGinnis New <input checked="" type="checkbox"/> Resigned <input checked="" type="checkbox"/></td> <td style="padding: 2px;">9419 Gustafson Lane S.E. Rochester, WA 98579</td> <td style="padding: 2px;">360-273-7286</td> </tr> <tr> <td style="padding: 2px;">New <input type="checkbox"/> Resigned <input type="checkbox"/></td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> </tbody> </table>	Bd Member Name	Address	Phone/Cell/Fax/Email	N. Zena Hartung New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	3240 Centerwood Ct. S.E. Olympia, WA 98501	360-350-0482	Mike McGinnis New <input checked="" type="checkbox"/> Resigned <input checked="" type="checkbox"/>	9419 Gustafson Lane S.E. Rochester, WA 98579	360-273-7286	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Bd Member Name	Address	Phone/Cell/Fax/Email													
N. Zena Hartung New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	3240 Centerwood Ct. S.E. Olympia, WA 98501	360-350-0482													
Mike McGinnis New <input checked="" type="checkbox"/> Resigned <input checked="" type="checkbox"/>	9419 Gustafson Lane S.E. Rochester, WA 98579	360-273-7286													
New <input type="checkbox"/> Resigned <input type="checkbox"/>															
Water Conservancy Board Operations															
Regular meeting schedule	3rd Monday of each month unless a legal holiday														
Regular meeting location	Percival Plaza Conference Rm., 626 Columbia St., NW, Suite 1-1F, Olympia, WA (One block SW of Olympia Farmer's Market)														
Current fee for processing	\$300.00 Filing Fee, \$1150.00 Processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>													
Litigation WCB has been involved in	0														
Property owned by WCB	0														
Number & type staff/volunteer assistance	1														
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no															
Training received other than from ecology	Title of Training	Date(s)	Sponsor												
Forms attached <input type="checkbox"/>															
Additional comments: You may attach additional pages if desired															

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	3
	With individual board commissioner	4
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	3
	Total applications accepted 11/01/08 to 10/31/09	3
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	1
Applications for	Ground water transfers	3
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	3
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
23	Upper Chehalis	0
13	Deschutes	3
11	Nisqually	0
Records of Decisions by the Board		
Approved	14	
Denied	1	
Total Decisions	15	
Withdrawn from Ecology	1	
Remand/returned without action back to board	0	
Appealed to PCHB	1	

2010 Report to Legislature
Thurston County Water Conservancy Board
November 1, 2009 through October 31, 2010

Water Conservancy Board Information			
<i>Board name</i>	Thurston County Water Conservancy Board	Date board established	November 17, 1999
Board address/ phone/email	P.O. Box 1037 Olympia, WA 98507-1037 (360) 870-4023 or jonhare@comcast.net (Jon Hare) and/or (360) 570-4416 or Jerry.Louthain@hdrinc.com (Jerry Louthain)		
<i>Board commissioners</i>	Mike Rhubright, Commissioner Zena Hartung, Commissioner Jon Hare, Commissioner Ty Menser, Commissioner Jerry Louthain, Commissioner Vacant, Alternate Vacant, Alternate	Term Expiration Date 12/12/13 12/12/11 08/17/11 08/17/13 12/12/15 09/30/16 09/30/16	
Primary board contact	Jon Hare, Chair Jerry Louthain, Vice Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Tom Myrum New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Mike McGinnis New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Tye Menser New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>		
	Mike Schwisow New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	3rd Monday of each month unless a legal holiday		
Regular meeting location	Percival Plaza Conference Rm., 626 Columbia St., NW, Suite 1-1F, Olympia, WA (One block SW of Olympia Farmer's Market)		
Current fee for processing	\$1450.00 Processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	1 admin temp		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor

Additional comments: Challenges include new process of Board members being recruited and appointed solely by County BOC and Ecology point staff changing periodically.

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	0
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	2
	Total applications accepted 11/01/09 to 10/31/10	2
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	2
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	2
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
23	Upper Chehalis	0
13	Deschutes	2
11	Nisqually	0
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature

November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
<i>Board name</i>		Walla Walla County Water Conservancy Board		Date board established	October 5, 1999
Board address/ phone/email		P.O. Box 1506 Walla Walla, Washington 99362 (509) 547-9312 and/or alan_kottwitz@bc.com			
<i>Board commissioners</i>		Term Expiration Date			
		10/18/09 10/18/13 10/18/11			
Primary board contact		Alan Kottwitz, Chair			
Changes in membership	Bd Member Name		Address		Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule		1st Wednesday of the month, 2 p.m.			
Regular meeting location		Walla Walla County Courthouse			
Current fee for processing		\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>		
Litigation WCB has been involved in		none			
Property owned by WCB		none			
Number & type staff/volunteer assistance		part time from county commissioners staff			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no					
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training		Date(s)	Sponsor	
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	6
	With individual board commissioner	6
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	8
	Total applications accepted 11/01/08 to 10/31/09	8
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	1
	Board declined to process	0
Applications for	Ground water transfers	8
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	7
	Water right claims	1
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
32	Walla Walla	8
Records of Decisions by the Board		
Approved	21	
Denied	0	
Total Decisions	21	
Withdrawn from Ecology	1	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature

November 1, 2009 through October 31, 2010

Water Conservancy Board Information

Board name

Walla Walla County Water Conservancy Board

Date board established

October 5, 1999

**Board address/
phone/email**

P.O. Box 1506
Walla Walla, Washington 99362
(509) 547-9312 and/or alan_kottwitz@bc.com

*Board
commissioners*

Alan Kottwitz, Commissioner
Mike Dobbins, Commissioner
Brian Worden, Commissioner
 , Commissioner
 , Commissioner
 , Alternate
 , Alternate

Term Expiration Date

10/18/15

10/18/13

10/18/11

Primary board contact

Alan Kottwitz, Chair

[illegible]

Address

Phone/Cell/Fax/Email

Changes in membership

New ☐ Resigned ☐

New ☐ Resigned ☐

New ☐ Resigned ☐

Water Conservancy Board Operations

Regular meeting schedule

1st Wednesday of the month, 2 p.m.

Regular meeting location

Walla Walla County Courthouse

Current fee for processing

\$500

Has this changed from last year?
Yes ☐ No ☒ N/A ☐

Litigation WCB has been involved in

none

**Property owned by
WCB**

none

Number & type staff/ volunteer assistance

none

Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights:

☒ yes ☐ no

Training received other than from ecology

Title of Training

Date(s)

Sponsor

Forms attached ☐

Additional comments: You may attach additional pages if desired

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	2
	With individual board commissioner	8
Total applications accepted by the board	Conveyed from Ecology	1
	Filed originally with WCB	10
	Total applications accepted 11/01/09 to 10/31/10	11
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	3
	Board declined to process	0
Applications for	Ground water transfers	11
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	11
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
32	Walla Walla	11
Records of Decisions by the Board		
Approved	12	
Denied	0	
Total Decisions	12	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature

November 1, 2008 through October 31, 2009

Water Conservancy Board Information					
<i>Board name</i>	Whitman County Water Conservancy Board		Date board established	July 26, 2000	
Board address/ phone/email	2892 Belsby Road Cheney, WA 99004 (509) 397-6200 and/or (509) 235-8581 Nancy Belsby nbelsby@earthlink.net				
<i>Board commissioners</i>	Ed Schultz, Chair Joe Spoonemore, Member Nancy Belsby, Member David Stueckle, Member Ron Johnson, Member , Alternate , Alternate		Term Expiration Date		
			07/16/12 07/16/11 07/16/10 07/16/14 07/16/13		
Primary board contact	Ed Schultz, Chair				
Changes in membership	Bd Member Name	Address		Phone/Cell/Fax/Email	
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
	New <input type="checkbox"/> Resigned <input type="checkbox"/>				
Water Conservancy Board Operations					
Regular meeting schedule	4th Wednesday of the month, 10:00 a.m., Quarterly, First Month of Quarter				
Regular meeting location	Public Service Bldg. Room B				
Current fee for processing	\$300.00 to receive application; \$300.00 for processing. Cost of required publications of notice will also be paid by the applicant.			Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in					
Property owned by WCB					
Number & type staff/volunteer assistance					
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input type="checkbox"/> no					
Training received other than from ecology Forms attached <input type="checkbox"/>	Title of Training	Date(s)	Sponsor		
Additional comments: You may attach additional pages if desired					

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	1
	With individual board commissioner	1
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	0
	Total applications accepted 11/01/08 to 10/31/09	0
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	0
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	0
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
Records of Decisions by the Board		
Approved	0	
Denied	0	
Total Decisions	(sum of all RODs)	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2010 Report to Legislature

November 1, 2009 through October 31, 2010

Water Conservancy Board Information

Board name

Whitman County Water Conservancy Board

Date board established

July 26, 2000

**Board address/
phone/email**

2892 Belsby Road
Cheney, WA 99004
Nancy Belsby, (509) 397-6200 and/or (509) 235-8581 or Whitman.wb@earthlink.net
Ed Schultz, (509) 397-9224 or emschultz@wildblue.net

*Board
commissioners*

Nancy Belsby, Commissioner
Joe Spoonemore, Commissioner
Ed Schultz, Commissioner
David Stueckle, Commissioner
Ron Johnson, Commissioner
 , Alternate
 , Alternate

Term Expiration Date

07/16/16
07/16/11
07/16/12
07/16/14
07/16/13

Primary board contact

Ed Schultz, Chair
Nancy Belsby, Secretary

Changes in membership

Bd Member Name

Address

Phone/Cell/Fax/Email

New ☐ Resigned ☐

New ☐ Resigned ☐

New ☐ Resigned ☐

Water Conservancy Board Operations

Regular meeting schedule

4th Wednesday of the month, 7:30 p.m., Quarterly, First Month of Quarter

Regular meeting location

Public Service Bldg. Room B, Colfax, WA

Current fee for processing

\$300.00 to receive application; \$300.00 for processing,
Applicant pays for required advertising.

Has this changed from last year?
Yes ☐ No ☒ N/A ☐

Litigation WCB has been involved in

none

Property owned by WCB

none

Number & type staff/
volunteer assistance

none

Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights:

☐ yes ☒ no

Training received other than from ecology

Title of Training

Date(s)

Sponsor

none

Forms attached ☐

Additional comments: You may attach additional pages if desired

Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	0
	With individual board commissioner	3
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	2
	Total applications accepted 11/01/09 to 10/31/10	2
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	2
	Surface water transfers	0
	Surface to ground or ground to surface water	0
Proposing transfer related to:	Certificates	2
	Water right claims	0
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
34	Palouse	2
Records of Decisions by the Board		
Approved	2	
Denied	0	
Total Decisions	(sum of all RODs 2)	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

2009 Report to Legislature
Yakima County Water Conservancy Board
November 1, 2008 through October 31, 2009

Water Conservancy Board Information			
<i>Board name</i>	Yakima County Water Conservancy Board	Date board established	July 12, 1999
Board address/ phone/email	2301 Fruitvale Boulevard Yakima, Washington 98901 (509) 574-2650 and/or Sylvia.cervantes@co.yakima.wa.us		
<i>Board commissioners</i>	Jeff Stevens, Chair	Term Expiration Date	
	Dave Brown, Commissioner	09/06/15	
	Mark Reynolds, Commissioner	09/06/13	
	, Commissioner	09/06/11	
	, Commissioner		
	Dave England, Alternate	07/25/11	
	, Alternate		
Primary board contact	Sylvia Cervantes, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		s
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Thursday of the month, 6 p.m.		
Regular meeting location	2301 Fruitvale Boulevard, Yakima, WA, Del Kary City Public Works Administration Conference Room		
Current fee for processing	\$100 non-refundable for submittal; \$500 acceptance fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB has been involved in			
Property owned by WCB			
Number & type staff/volunteer assistance			
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

Application Information between 11/01/08 to 10/31/09		
Estimated pre-application consultations or contacts	With board	None
	With individual board commissioner	None
Total applications accepted by the board	Conveyed from Ecology	7
	Filed originally with WCB	
	Total applications accepted 11/01/08 to 10/31/09	7
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	0
	Board declined to process	0
Applications for	Ground water transfers	6
	Surface water transfers	1
	Surface to ground or ground to surface water	
Proposing transfer related to:	Certificates	5
	Water right claims	2
	Court claims or other documents	0
	Trust water	0
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
37	Lower Yakima	7
Records of Decisions by the Board		
Approved	1	
Denied		
Total Decisions	1	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

November 1, 2009 through October 31, 2010

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Application Information between 11/01/09 to 10/31/10		
Estimated pre-application consultations or contacts	With board	3 (Andy Creek/Jim Ellis/Huerd)
	With individual board commissioner	None
Total applications accepted by the board	Conveyed from Ecology	0
	Filed originally with WCB	2 Black Rock/Andy Creek
	Total applications accepted 11/01/09 to 10/31/10	2
Total applications withdrawn or declined after acceptance by the board	Withdrawn by applicant from board	2 (Dillon/Newhouse)
	Board declined to process	0
Applications for	Ground water transfers	1
	Surface water transfers	1
	Surface to ground or ground to surface water	
Proposing transfer related to:	Certificates	2
	Water right claims	
	Court claims or other documents	
	Trust water	
Hearings in other counties ¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
37	Lower Yakima	2
Records of Decisions by the Board		
Approved	2	
Denied	0	
Total Decisions	2 (Black Rock and Dillon)	
Withdrawn from Ecology	2 (Newhouse/Dillon)	
Remand/returned without action back to board	0	
Appealed to PCHB	0	